

AGRICULTURE, RURAL DEVELOPMENT, FOOD  
AND DRUG ADMINISTRATION, AND RELATED  
AGENCIES APPROPRIATIONS FOR 2012

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HEARINGS  
BEFORE A  
SUBCOMMITTEE OF THE  
COMMITTEE ON APPROPRIATIONS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED TWELFTH CONGRESS  
FIRST SESSION

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SUBCOMMITTEE ON AGRICULTURE, RURAL DEVELOPMENT, FOOD AND  
DRUG ADMINISTRATION, AND RELATED AGENCIES

**JACK KINGSTON, Georgia, *Chairman***

TOM LATHAM, Iowa

JO ANN EMERSON, Missouri

ROBERT B. ADERHOLT, Alabama

CYNTHIA M. LUMMIS, Wyoming

ALAN NUNNELEE, Mississippi

TOM GRAVES, Georgia

SAM FARR, California

ROSA L. DELAURO, Connecticut

SANFORD D. BISHOP, JR., Georgia

MARCY KAPTUR, Ohio

NOTE: Under Committee Rules, Mr. Rogers, as Chairman of the Full Committee, and Mr. Dicks, as Ranking  
Minority Member of the Full Committee, are authorized to sit as Members of all Subcommittees.

MARTIN DELGADO, TOM O'BRIEN, BETSY BINA, and ANDREW COOPER,  
*Staff Assistants*

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**PART 8—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION,  
AND RELATED AGENCIES APPROPRIATIONS FOR 2012**



# AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS FOR 2012

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**AGRICULTURE, RURAL DEVELOPMENT, FOOD  
AND DRUG ADMINISTRATION, AND RE-  
LATED AGENCIES APPROPRIATIONS FOR  
2012**

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FRIDAY, APRIL 1, 2011.

**DEPARTMENT OF AGRICULTURE—FOOD, NUTRITION,  
AND CONSUMER SERVICES**

**WITNESSES**

**KEVIN CONCANNON, UNDER SECRETARY, FOOD, NUTRITION, CON-  
SUMER SERVICES, AND DEPARTMENT OF AGRICULTURE**

**JULIE PARADIS, ADMINISTRATOR, FOOD AND NUTRITION SERVICE,  
DEPARTMENT OF AGRICULTURE**

**RAJEN ANAND, EXECUTIVE DIRECTOR, CENTER FOR NUTRITION POL-  
ICY AND PROMOTION, DEPARTMENT OF AGRICULTURE**

**MICHAEL YOUNG, BUDGET OFFICER, DEPARTMENT OF AGRICULTURE**

Mr. KINGSTON. And this hearing will start. I will start with an opening statement, and I am sure my friend, Ms. DeLauro, will probably have one, as well.

We welcome you back. We appreciate the work that you are doing. We are very concerned about a \$17 billion increase in this budget climate. I realize that a lot of that is driven by the farm bill. But it is interesting that we always seem to tinker with authorizing, which increases enrollment on appropriations bills, but we are not allowed to authorize to correct a program.

I just want to remind you, though, that the boat we are in—we are all in the same boat, in terms of the leak. The new CBO estimations of the President's budgetary proposals say that if all of the President's budget was enacted, it would add \$26 billion to the deficit for 2011. And, as a result, the 2011 deficit would be \$1.43 trillion, or 9.5 percent of the GDP. Very, very serious numbers. The federal debt held by the public would double under the President's budget, growing from \$10.4 trillion, 69 percent of GDP at the end of 2011, to \$20.8 trillion, 87 percent of GDP at the end of 2021.

Not my numbers; CBO's numbers, and something that I know that we are all very concerned about. And that is why we want to be sure, when we look at an increase this high, that we have looked at every way possible to make sure that that is a minimum amount of money, as opposed to a maximum amount of money.

So, I look forward to your testimonies. As you know, your testimonies have been submitted for the record, so you are invited to summarize them.

But let me yield the floor to my friend, Ms. DeLauro, for an opening statement.

Ms. DELAURO. Thank you very, very much, Mr. Chairman. And I do not have a formal opening statement, but I am grateful to you for allowing me to say a few words. And let me welcome the Secretary and the administrator.

And I just want to emphasize how important the nutrition programs are to the most vulnerable people in our country. And there was a FRAC report released several weeks ago. Nearly one in five Americans struggled to afford enough food for themselves and their families in 2010. In the last few months of 2010, some of the highest food hardships—those rates, in the 3-year period—were reached. The October 2010 rate of 19.3 percent had been succeeded only in November/December 2008.

And quite frankly, this is a low number, in comparison to others. In my state of Connecticut, the food hardship rate is 14.5 percent. We are categorized as the richest state in the nation. And you have 14.5 percent of folks in Connecticut who are called food-insecure, which, in essence, means they are hungry, that they are hungry. So the numbers—and that is a good state; we rank 49th. That tells you something about what is going on in other states.

The figures demonstrate that we have to have the strength of nutrition programs. They have to be there. And they have to benefit the most—those who most need it. The consequences of not doing this are completely unacceptable. We can't simply afford to leave people behind. And the problem may get worse as food prices continue to rise.

If you will just bear with me one second, Mr. Chairman, I want to just—and I think for all of our subcommittees, some of the new members may not know Administrator Julie Paradis—but this is her last day as the FNS administrator. She is retiring.

Mr. KINGSTON. She is also smiling a little bit more than normally. [Laughter.]

Ms. DELAURO. Yes. That is only because of the recognition, because she loves what she does, and she does it well. It has been truly a privilege. I say that for all of us. And to spend your last day as a federal servant here with us, I've got to tell you, maybe I am going to just say, "Get a life," here, Julie, but—

Mr. KINGSTON. And you know, while Rosa and I have not—we do not always vote the same. We have great affection for each other, so we want to make this a memorable hearing for you.

Ms. DELAURO. We will do it, we will do it—

Mr. KINGSTON. We will both do our part. [Laughter.]

Ms. DELAURO. I just want to mention Julie's career: USDA, Capitol Hill, feeding America, every reason to be proud of the legacy that you have left all of us. And to come out of retirement to work at USDA with what has been a real critical time in our country's history, and our ability to effectively be able to deliver the nutrition program.

So, we are grateful to you, and the country has benefitted from your great work and your dedication and your passion for reducing hunger in America, a noble cause. It is the gift of life. You cannot do better than that, and what your goals are. So we are grateful.

I also might add I am excited to see a new administrator, Audrey Rowe, who I have had the opportunity to work with—from Connecticut—over the years. And so we will, I know, spend many days together—to the new administrator. But Godspeed. Thank you.

Thank you very, very much, Mr. Chairman.

Mr. KINGSTON. Thank you, Ms. DeLauro. Mr. Farr, do you have any—

Mr. FARR. I just want to associate myself with her remarks. It is a wonderful day—have a career public servant, and particularly to remind Congress at a time when they want to slash and burn and criticize government, it is important to recognize people who have made a career and done very well at helping this nation be a better nation. Thank you for your service.

Mr. KINGSTON. Mr. Graves, do you have anything to add?

Mr. GRAVES. I will wait.

Mr. KINGSTON. Okay. Well, Mr. Under Secretary?

#### OPENING STATEMENT

Mr. CONCANNON. Thank you, Mr. Chairman. Thank you, Mr. Chairman, and members of the Subcommittee, for this opportunity to present the Administration's fiscal year 2012 budget request for USDA's Food, Nutrition, and Consumer Services.

As is noted in my written testimony, I too wanted to draw attention to the fact that our Administrator, after 31 years of public service, will be retiring today, it is her last day as the Administrator. And we want to thank her and acknowledge that, as the Members have already.

Let me also introduce Dr. Rajen Anand to my right, the Executive Director of the Center for Nutrition Policy and Promotion, someone also with many years of public service devoted to improving public health and the well-being of Americans.

We come before you today in a most challenging time for Americans. Even as signs emerge that the economy is beginning to return to vigor, families across the country continue to struggle with the aftermath of three years of recession. Demand for the nutrition assistance program remains extremely high. In December, nearly 44.1 million people received SNAP benefits, 21 million of them children, the 26th consecutive month of record high participation, again, reflecting what is going on in the American economy.

Participation in the school meals program remains at near record levels, with 32 million children receiving a meal through the school lunch program on an average school day, and two out of three of those receiving a free or reduced price meal, based on family income. These nutrition assistance programs have never been more important to our Nation. In good times, as well as bad, they provide an essential safety net so that no matter what other hardship and disruptions that our folks may face, American families need not experience hunger.

This budget provides full support for the core nutrition assistance programs, in order to ensure access to benefits for all eligible persons who apply. And it makes targeted investments to restore the SNAP benefits that were eliminated by the Healthy Hunger-Free Kids Act of 2010. It also supports and encourages schools to improve meals through the Healthier U.S. School Challenge. It en-

courages States or leading entities to take up the challenge within those states of ending child hunger. It helps States improve SNAP customer service and process applications promptly. It expands the school breakfast program, and provides support and further promotion for breast feeding through the WIC program.

The request also promotes improved nutrition and health, and addresses the crisis of childhood obesity by supporting prompt implementation of the Healthy Hunger-Free Kids Act, signed into law by the President in December. The Act, a historic victory for our Nation's children and families, includes real reforms for the Child Nutrition Programs, and will promote the health and well-being of our children for years to come.

As a country, we cannot compete and win the future if our people are hungry, our children are poorly nourished, or new mothers and newborn infants do not have what they need for a healthy start. This budget recognizes and supports these fundamental facts, makes the right choices for our country, especially for those Americans most in need.

I want to emphasize that while the resources requested in this budget are critical investments, they are not the whole of our strategy to address the important challenges that remain in moving our Nation out of the economic downturn and its aftermath. Our strategy includes leveraging our ongoing partnership with States to modernize, to streamline, and to improve program operations.

As you know, all nutrition assistance programs are operated in partnership with State governments. And the very circumstances that have driven increased demand for these programs have also reduced the revenue available to states to operate the programs. This is particularly important in SNAP, in which States must cover half of the cost required to administer the program.

Facing these pressures, many States have pursued, with our encouragement, business process improvements to increase the efficiency and effectiveness of SNAP operations. In the school meals program, we are promoting wider use of direct certification, which uses certification information from the SNAP and other means-tested programs to enable low-income children to receive free school meals without their families having to fill out, and schools having to process paper applications. These kinds of ongoing efforts are essential to keeping the programs effective and meeting the food and nutrition needs of our people in this time of limited resources.

In the same vein, I want to underscore a strong commitment to program integrity. As you may know, the President has issued an Executive Order and a memorandum to all Federal agencies, directing us to reduce payment errors and eliminate waste, fraud, and abuse in the programs within our jurisdiction. I take this responsibility seriously, as a matter of proper management, but I also want to emphasize its fundamental relationship to our success.

From my perspective, the ongoing mission of these programs is not separable from strong and sustained attention to program integrity and stewardship of Federal funds. Waste and abuse draw scarce program resources away from the people who need them most. We cannot afford such losses.

And, just as importantly, the programs are ultimately unsustainable without public confidence that benefits go to those

who qualify for them, are used appropriately, and achieve their intended purpose. We simply cannot sustain the Nation's commitment to these programs—which, with your support, is considerable—without honoring and fulfilling the expectation that we can manage them with integrity. This is one of our fundamental responsibilities.

In closing, the budget request reflects the essential role these programs play in restoring our economic vitality, and sustaining the nutrition, health, and well-being of our people. It makes the right investments to make them as effective as they must be to meet the challenges that face our country.

And I appreciate the opportunity to present, discuss it with you, and look forward to taking your questions.

Thank you.

[The information follows:]

Food, Nutrition, and Consumer Services

Statement of Kevin Concannon, Under Secretary  
Food, Nutrition, and Consumer Services  
Before the Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration and Related Agencies

Thank you, Mr. Chairman, and members of the Subcommittee for this opportunity to present the Administration's fiscal year 2012 budget request for USDA's Food, Nutrition, and Consumer Services (FNCS).

Before I begin my testimony, I would like to take a moment to introduce to you the members of the leadership of the Food, Nutrition and Consumer Services mission area who are accompanying me at the witness table. Joining me is Julie Paradis, the Administrator of the Food and Nutrition Service. You may be aware that today is her last day as the Administrator of FNS as she retires. I want to thank her for her service to the agency and, more importantly, to all the people that we serve through the Federal nutrition assistance programs. She has been a tireless champion for them, and her work represents a legacy that we will build on into the future. Let me also introduce Dr. Rajen Anand, the Executive Director of the Center for Nutrition Policy and Promotion, someone with many years of public service. Each has submitted testimony for the record that provides more detail on each of the budget requests.

We come before you today in a challenging time for Americans. Even as signs emerge that the economy is beginning to return to vigor, families across the country continue to struggle with the aftermath of three years of recession:



- Unemployment has fallen substantially from its recent peak of 10.1 percent in October 2009, but remains unacceptably high at 8.9 percent as of February.
- The poverty rate in 2009 was 14.3 percent, the highest rate since 1994. There were 43.6 million people in poverty in 2009, up from 39.8 million in 2008 — the third consecutive annual increase, and the largest number of people in poverty in the 51 years for which poverty estimates are available.
- Demand for the nutrition assistance programs remains extremely high. In December 2010, nearly 44.1 million people received SNAP benefits, 21 million of them children – the twenty-sixth consecutive month of record-high participation. Participation in the school meals programs remains at near-record levels, with about 32 million children receiving a meal through the school lunch program on an average school day, and two out of three served free or at reduced price.

These sobering statistics underscore the fact that these nutrition assistance programs have never been more important to our Nation. In good times as well as bad, they provide an essential safety net so that, no matter what other hardship and disruptions our people may face, American families need not experience hunger.

But in the times of broad economic downturn, the benefits of these programs reach even more widely. They are structured to respond correspondingly to the needs of the hardest-hit households. Benefits flow to these households, providing a boost of economic stimulus for them and their communities, even as they meet the nutrition needs of low-income people. Every \$5 in new SNAP benefits, for example, generates as much as \$9 in total economic activity. Every time a family uses SNAP benefits to put healthy food on the table, it also benefits the store and the employees where the purchase was made, the truck driver who delivered the food, the

warehouses that stored it, the plant that processed it, and the farmer or rancher who produced the food.

We know that the fundamental cause of food insecurity and hunger in the United States is poverty – the lack of adequate resources to address basic needs such as food, shelter and health care. The Administration has worked with Congress on an aggressive program of actions to address poverty through a broad expansion of economic opportunity – creating or saving about 3.5 million jobs through the Recovery Act while making long-term investments in health care, education, energy, and infrastructure, providing tax relief for working families, and promoting affordable housing and vibrant neighborhoods and communities.

Evidence continues to mount that the nutrition assistance programs have multiple, positive impacts, especially in times of economic hardship:

- Program data indicates that in 2009, SNAP benefits added to other income sources, was sufficient to raise 13.4 percent of SNAP households – over 4.4 million people – above the poverty line.
- The Department’s annual tracking of the rate of food insecurity in the United States showed that this rate was essentially unchanged between 2008 and 2009, with 14.7 percent of households experiencing food insecurity in 2009. Similarly, data released recently by the Food Research and Action Center on food hardship showed relative stability during 2010. While continued high levels of food insecurity and food hardship are cause for concern, the fact that the numbers did not increase, despite the significant increase in unemployment and poverty, strongly suggests that that these programs are working as intended – to meet the needs of families in financial crisis.

The budget request for the nutrition assistance programs reflects the difficult circumstances that we face, but also the critical importance and proven effectiveness of these programs. Just as many Americans have had to cut back to make ends meet, USDA's budget request reflects many tough choices, and makes difficult cuts to important programs to reduce the deficit. But this budget also reflects important core values and preserves key investments that matter to the American people, and so preserves our strong commitment to a robust nutrition safety net.

The budget provides full support for the core nutrition assistance programs, to ensure access to benefits for all eligible people who wish to apply. And it makes targeted investments to:

- Maintain increased SNAP benefits through March 2014;
- Support and encourage schools to improve meals through the Healthier US School Challenge;
- Encourage States or leading entities to take up the challenge of ending childhood hunger;
- Help States improve SNAP customer service and process applications promptly;
- Expand the School Breakfast Program; and
- Support and promote breastfeeding through WIC.

The request also promotes improved nutrition and health and addresses the crisis of childhood obesity by supporting prompt implementation of the Healthy, Hunger-Free Kids Act, signed into law by the President in December. The Act, a historic victory for our Nation's children and families, includes real reforms to the Child Nutrition Programs, and strongly supports First Lady Michelle Obama's Let's Move! initiative, our overarching strategy to end childhood obesity within a generation. In January, we proposed updates to nutrition standards

for the school meals programs for public comment. Once new standards are finalized and go into effect, schools that comply will receive increased Federal meal reimbursements – the first real increase in over 30 years. The law also provides USDA with the authority to set nutritional standards for all foods sold in schools, including in vending machines, the "a la carte" lunch lines, and school stores. And it empowers parents by requiring schools to make information more readily available to parents about the nutritional quality of school meals. These and other provisions in the Act will promote the health and well being of our children for years to come, and our budget request provides the resources needed to implement these critical changes rapidly.

As a country, we cannot compete and win the future if our people are hungry, our children are poorly nourished, or new mothers and newborn infants do not have what they need for a healthy start. This budget recognizes and supports these fundamental facts and makes the right choices for our Nation, especially for those Americans most in need.

Before I move on to provide a few highlights of our request, there are two additional areas that I want to discuss to provide context. First, I want to emphasize that while the resources requested in this budget are critical investments, they are not the whole of our strategy to address the important challenges that remain in moving our Nation out of the economic downturn and its aftermath.

Our strategy includes leveraging our ongoing partnership with States to modernize, streamline, and improve program operations. As you know, all nutrition assistance programs are operated in partnership with State governments, and the very circumstances that have driven increased demand for these programs has also reduced the revenue available to States to operate

the programs. This is particularly important in SNAP, in which States must cover half of the costs required to administer the program.

Facing these pressures, many States have pursued with our encouragement business process improvements to increase the efficiency and effectiveness of SNAP operations. We work closely with them not only to provide technical assistance and share the most effective practices used in other States, but also to ensure that any changes they make do not compromise fundamental aspects of program performance such as access, customer service, and payment accuracy.

We are also working to enable and encourage program simplifications that make it easier for low-income families to apply for benefits while also reducing burdens on States. USDA has expanded the adoption of broad-based categorical eligibility for SNAP benefits to forty-one States. We promote the use of telephone interviews to ease the application process, and have clarified and reinforced a number of simplified reporting requirements.

In the school meals programs, we are promoting wider use of direct certification, which uses certification information from SNAP and other means-tested programs to enable low-income children to receive free school meals without their families having to fill out – and schools having to process – a paper application. The Healthy, Hunger-Free Kids Act of 2010 authorized and funded a major demonstration project to test the effectiveness of direct certification using Medicaid enrollment data in simplifying access to school meals.

These kinds of ongoing efforts are essential to keeping these programs effective in meeting the food and nutrition needs of our people in this time of limited resources.

In this same vein, I want to underscore our strong commitment to program integrity. As you may know, the President has issued an Executive Order and a memorandum to all Federal

agencies directing us to reduce payment errors and eliminating waste, fraud, and abuse in the programs under our jurisdictions. I take this responsibility seriously as a matter of proper management, but I also want to emphasize its fundamental relationship to our success.

From my perspective, the ongoing mission of these programs is not separable from strong and sustained attention to program integrity and stewardship of Federal funds. Waste and abuse draw scarce program resources away from the people who need them the most – and we cannot afford such losses. Just as importantly, these programs are ultimately unsustainable without continued public confidence that benefits go to those who qualify for them, are used appropriately, and achieve their intended purposes. We simply cannot sustain the Nation's commitment to these programs, which with your support is considerable, without honoring and fulfilling the expectation that we can manage them with integrity. This matter is one of FNS's fundamental responsibilities and one of my top priorities.

Let me turn now to a few highlights of the FNCS budget request:

#### **Supplemental Nutrition Assistance Program (SNAP)**

SNAP continues to serve the Nation as the primary source of nutrition assistance for low-income Americans. The President's budget requests \$73.3 billion for SNAP, enough to serve an average of 45 million people each month in fiscal year 2012. The budget includes a one-year suspension of benefit time limits for Able-Bodied Adults without Dependents (ABAWDs). The suspension would provide approximately 65,000 low-income people access to nutritious food by temporarily lifting the limits on how long they can receive SNAP benefits during this difficult economic period.

The budget requests indefinite funding authority in fiscal year 2012, which would ensure the availability of benefits for eligible households even in the most challenging financial times.

**Child Nutrition Programs**

The budget requests \$18.8 billion for the Child Nutrition Programs, to assist State and local governments in serving nutritious meals to children in public and private schools, child and adult care centers and family day care homes as well as summer recreation programs.

The budget request also includes \$10 million to provide competitive grants to local education agencies to establish, maintain or expand the school breakfast program. Currently, fewer than half of low-income school lunch participants receive school breakfast on an average day. In addition, the President's Budget requests \$25 million to provide competitive grants to Governors to carry out comprehensive and innovative strategies to end childhood hunger in their States. Finally, the budget requests \$2 million for Farm to School Teams to support local and regional food systems by facilitating linkages between schools and their local food producers.

**WIC**

The President's Budget includes \$7.4 billion for the Special Supplemental Nutrition Program for Women, Infants and Children, or WIC, to ensure that all eligible persons seeking to participate can be served. This year's request will allow local communities to provide food, nutrition education and a link to health care to a monthly average of 9.6 million women, infants and children. The budget request also includes \$60 million to continue the work with State agencies, food retail vendors and the payments industry to implement WIC EBT nationwide by 2020. The scientific information on the benefits of breastfeeding for both the mother and the infant continues to grow, so as an investment toward increasing breastfeeding and helping children get the most healthful start in life, the budget increases the amount available for

breastfeeding peer counseling to \$83 million and the amount for breastfeeding performance bonuses to \$10 million.

**The Emergency Food Assistance Program (TEFAP)**

The President's budget also fully supports the level of food purchases authorized for TEFAP. Through TEFAP, USDA provides food and administrative funding to hundreds of regional food banks, soup kitchens and food pantries to help them provide food to needy families. These organizations have seen unprecedented demand for food assistance during the extended economic downturn. While the majority of emergency feeding organizations' resources come from corporate or individual donations, TEFAP plays a critical role in ensuring that these organizations have a stable source of nutritious food and provides administrative funds to help ensure food gets to those in need. Feeding America estimates that about 25 percent of the food distributed by its member food banks comes from TEFAP.

In closing, the budget request reflects the essential role that nutrition assistance programs play in restoring our economic vitality and sustaining the nutrition, health and well-being of our people. It makes the right investments to make them as effective as they must be to meet the challenges that face our Nation. I appreciate the opportunity to present and discuss it with you, and would be happy to take any questions.



Food, Nutrition, and Consumer Services

Statement of Julie Paradis, Administrator  
Food and Nutrition Service

Before the Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration and Related Agencies

Thank you, Mr. Chairman, and members of the Subcommittee for this opportunity to present the Administration's fiscal year 2012 budget request for the Food and Nutrition Service (FNS).

This is a bittersweet day for me because, although it has been my privilege to serve as the Administrator to FNS for the past two years, today is my last as a Federal servant. I began my Federal career with USDA in 1979. I have been especially proud to be associated in leadership roles for FNS on two occasions – first as the Deputy Under Secretary for Food, Nutrition and Consumer Services in the late 1990's and then lately as the Administrator – because I truly believe it is the best agency, with the most dedicated employees, in the Federal government.

Therefore, I am proud to have the opportunity on my final day with the agency to come talk to you about the importance of the FNS mission and the FY 2012 President's Budget. As Under Secretary Concannon mentioned in his testimony, we have faced tremendous challenges as a country during and in the aftermath of the Great Recession, with very high unemployment and poverty rates. And yet, we have seen the nutrition assistance programs respond decisively, expanding to meet the needs of families in financial crisis. Program participation has grown dramatically, especially in the Supplemental Nutrition Assistance Program (SNAP), and the results are clear – despite the terrible economic conditions in 2009 and much of 2010, food

insecurity has remained relatively stable. It is still unacceptably high, but without these programs, millions more Americans would struggle just to feed themselves and their families.

How has this been possible? Many deserve a portion of the credit. The legislative architects of these programs designed the largest of them to respond automatically to families and communities in need. Congress – this Subcommittee – and the Administration have worked closely to ensure that these programs are funded at levels that allow them to serve all eligible people who seek benefits. The State agencies that deliver these programs have persevered through the extraordinary squeeze of increasing demand and declining administrative resources. And my colleagues at FNS have worked tirelessly to make sure that the nutrition safety net was managed effectively in the face of unprecedented growth.

This shared success made the difference – at family dinner tables, at child and adult care centers, at schools and summer centers, food banks, food pantries, soup kitchens, and everywhere in America that people were in need of nutritious food. We have risen together to the challenge, and helped to prevent far worse circumstances than we would face without these programs.

But there is much more to be done. In his State of the Union address, President Obama detailed a list of challenges that America faces as we move forward to win the future. Americans cannot be globally competitive if its people are hungry due to food insecurity or ill because their diets are unhealthy. Today, too many children across the country still don't have access to healthy school meals. And a lack of nutritious diets that includes plenty of fruits and vegetables is part of the reason that so many children are overweight with health conditions including high blood pressure, high cholesterol and Type II diabetes. Recent studies reported in the news reveal that obesity can shorten a person's life span to almost the same degree as smoking due to higher

incidence of Type II diabetes. In addition, diabetics are more likely to die of kidney disease, liver disease, pneumonia, and infectious diseases.

FNS programs play an important role in winning the future by providing access to safe, nutritious, and balanced meals for a healthier generation of young people. In this great country, all children should have the basic nutrition they need to learn, grow and pursue their dreams because, in the end, the success of our nation tomorrow depends on the choices we make for our children today.

The President's FY 2012 Budget shows a strong commitment to FNS programs. This budget strengthens these important safety net programs in a time of competing priorities and limited resources, balancing program access, good nutrition, and program integrity to meet our key commitments to serve program clients effectively and with dignity. The budget request of over \$100 billion fully funds FNS' largest nutrition assistance programs including SNAP, WIC and the Child Nutrition Programs.

The budget also supports implementation of the Healthy, Hunger-Free Kids Act of 2010. The Act, a historic investment in improving our child nutrition programs over the next ten years, will eliminate the barriers that keep children from participating in school nutrition programs, improve the quality of school meals and the health of the school environment, and enhance program performance. FNS has let program cooperators know of the provisions and we have met with and listened to our program cooperators in determining the best paths toward implementation. Some of the major provisions include:

- Conducting major pilot projects and research to evaluate strategies for ending childhood hunger;
- Increasing access to school meals through enhancements to directly certify children's eligibility for school meal benefits based on their participation in Medicaid;

- Providing performance bonuses to States that are highly successful or that make improvements in their efforts to directly certify low-income children for school meal benefits.
- Expanding programs that serve at-risk communities, such as the afterschool meal program.
- Establishing improved nutrition standards for school meals based on the Dietary Guidelines for Americans and providing resources to assist school in meeting the improved nutrition standards.
- Creating national standards for all foods sold in schools to ensure that they contribute effectively to a healthy diet.
- Establishing standards to ensure child nutrition professionals have the skills to serve top-quality meals that are both healthful and appealing to their student customers.

Implementing some of these provisions will be more challenging than others but we are committed, our staff is hard at work and our program cooperators are at our side in implementing the provisions as quickly as possible. Our budget request acknowledges the challenges we face and provides the resources needed to implement these critical changes rapidly.

Let me turn now to a few highlights of the FNS budget request:

#### **Child Nutrition Programs**

The budget requests \$18.8 billion for the Child Nutrition Programs, to assist State and local governments in serving nutritious meals to children in public and private schools, child care centers and family day care homes as well as summer recreation programs. This level of funding will support an expected increase in average daily lunch participation from 32.1 million children in FY 2011 to 32.5 million children in FY 2012. In addition, breakfast participation is expected to grow from 12.4 million to 12.9 million children per day. One of the larger drivers of increased program costs is the percentage of meals served free or reduced price to children from

low-income families. Unfortunately, due largely to continued forecasts of relatively high unemployment into the first part of FY 2012, this percentage continues to grow.

The budget request also includes \$10 million to provide competitive grants to local education agencies to establish, maintain or expand the school breakfast program. Currently, fewer than half of low-income school lunch participants receive school breakfast on an average day. In addition, the President's Budget requests \$25 million to provide competitive grants to Governors to carry out comprehensive and innovative strategies to end childhood hunger in their States. Finally, the budget requests \$2 million for Farm to School Teams to support local and regional food systems by facilitating linkages between schools and their local food producers.

#### **WIC**

The President's Budget includes \$7.4 billion for the Special Supplemental Nutrition Program for Women, Infants and Children, or WIC, to ensure that all eligible persons seeking to participate can be served. This year's request will allow local communities to provide food, nutrition education and a link to health care to a monthly average of 9.6 million women, infants and children. The budget request also includes \$60 million to continue the work with State agencies, food retail vendors and the payments industry to implement WIC EBT nationwide by 2020. There are currently over 40 State agencies in various stages of WIC EBT implementation. The scientific information on the benefits of breastfeeding for both the mother and the infant continues to grow, so as an investment toward increasing breastfeeding and helping children get the most healthful start in life, the budget increases the amount available for breastfeeding peer counseling to \$83 million and the amount for breastfeeding performance bonuses to \$10 million.

#### **Supplemental Nutrition Assistance Program (SNAP)**

The President's budget requests \$73.3 billion for SNAP, enough to serve an average of 45 million people each month in fiscal year 2012. The budget includes a one-year suspension of benefit time limits for Able-Bodied Adults without Dependents (ABAWDs). The suspension would provide approximately 65,000 low-income people access to nutritious food by temporarily lifting the limits on how long they can receive SNAP benefits during this difficult economic period.

The budget requests indefinite funding authority which would ensure the availability of benefits for eligible households even in the most challenging financial times.

The budget request includes a number of requests designed to improve service and ensure timely access to benefits. For example, \$9 million is included for improvements in business processes and timeliness of processing applications. This may be accomplished through direct Federal assistance, technical assistance or grants to States. The budget also includes \$4 million to expand the availability of point of sale terminals in Farmers' Markets. Finally, the budget includes a \$1.8 million increase to improve the quality and efficacy of nutrition education and program outreach to underserved populations.

#### **Nutrition Programs Administration**

We are seeking \$170.5 million to support the work of the Agency, including \$12.9 million for the Center for Nutrition and Policy Promotion (CNPP). The budget includes an additional \$9 million for CNPP for nutrition education curriculum development; implementation of scientific evidence-based approaches to nutrition education; and promotion of the 2010 *Dietary Guidelines for Americans*. The request also includes an increase of \$3.5 million to upgrade the outdated program financial management system which is nearing the end of its

useful life. FNS relies heavily on this system to control \$100 billion in appropriations and to maintain the integrity of the financial accounts. Also for information technology, the budget includes a request for \$2 million to provide a dedicated source of funding to FNS' internal computer infrastructure. These funds will enable the Agency to protect itself against cyber attacks, faulty data, and disruptions in service. Finally, the budget request includes an additional \$5.2 million to sustain the program management and support activities of our employees nationwide.

At a time of continued dramatic growth in FNS programs, there has been a serious erosion of FNS staffing levels – from a level of 2,500 staff years in 1980 to 1,600 staff years in 2000, to fewer than 1,400 staff years today. At the same time, the programs have become more complex with increasing requirements to improve quality, timeliness, access and outreach. Robust Federal oversight, monitoring and technical assistance are essential to the identification, prevention and resolution of problems – but this is becoming more difficult as staffing levels are continuously eroded. As I noted previously, the team at FNS – of which I have been so proud to be a member – have risen to the extraordinary challenges of today's economic dislocation and ensured, in cooperation with our State partners, that the programs have responded. The small additional investment we have requested in Federal administrative resources will greatly strengthen our ability to continue to improve these programs, and ensure that their nutrition mission is accomplished as efficiently and effectively as possible.

Mr. Chairman and members of the Subcommittee, I appreciate the opportunity to present this budget request to you. I would be happy to address any questions you may have.

Center for Nutrition Policy and Promotion

Statement of Rajen Anand, Executive Director  
Center for Nutrition Policy and Promotion  
Before the Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration, and Related Agencies

Thank you, Chairman and members of the Subcommittee, for allowing me this opportunity to present testimony in support of the Administration's budget for fiscal year 2012. I am especially pleased to have the honor of explaining the work of the Center for Nutrition Policy and Promotion (CNPP), one of two agencies in the Food, Nutrition, and Consumer Services (FNCS) mission area.

CNPP serves as a recognized authority for providing evidence-based, scientific dietary guidance for the American public. With the Nation facing significant public health issues related to the quality of the American diet, particularly with regard to the need to reduce and prevent chronic disease risks, overweight, and obesity, the efforts of the Center are the key to promoting more healthful eating behavior and lifestyles across the Nation. The Center's functions, as part of FNCS are driven by a core commitment to improve the health of Americans by developing and promoting dietary guidance that links the most recent and evidence-based scientific research to the nutrition needs of consumers. Thus, the Center has a critical role in how USDA meets its strategic objective to "promote healthy diet and physical activity behavior."



**Improved Nutritional Well-Being and Healthful Lifestyles: Goal of Federal Nutrition  
Guidance and Education**

Recent studies indicate that obesity is a major public health problem among U.S. adults and children. America's dietary and physical activity behavior reveals disturbing trends. Since the mid-seventies, the prevalence of overweight and obesity has increased sharply for both adults and children. It is generally known that a combination of poor diet and sedentary lifestyle not only undermines quality of life and productivity, but also contributes to some of the preventable causes of death each year in the United States and a great deal of avoidable expense.

It is also known that overweight and obesity are contributing factors to problems associated with reduced quality of life. Evidence shows that not eating well and not being physically active have short- and long-term effects, including obesity, diabetes, certain types of cancer, and other diet-related chronic diseases. These diseases can have a devastating effect on productivity, lifestyle, healthcare, and lifespan.

Childhood obesity is associated with various health-related consequences. Overweight children and adolescents may experience immediate health consequences and may be at risk for weight-related health problems in adulthood. Overweight children and teens have been found to have risk factors for cardiovascular disease, including high cholesterol levels, high blood pressure, and abnormal glucose tolerance. With Centers for Disease Control and Prevention (2009) estimates indicating that annual obesity-related medical expenditures in the United States have reached \$147 billion, the health of

Americans is a serious and growing cost concern to the Federal government, government at all levels, and the private sector.

The lack of physical activity has been associated with a number of conditions, including diabetes, overweight and obesity, cardiovascular disease, and certain types of cancer. Supporting evidence indicates that less than one-third of adults and children are regularly physically active. On the other hand, children and teens are spending more hours using entertainment media, such as television, video games, computers, iPods, and MP3 players. By 2010, children and teens were spending over 7 and one-half hours using one entertainment medium on a typical day, an increase of more than an hour from their usage pattern in 2004.

USDA's development and implementation of Federal nutrition guidance—including the *Dietary Guidelines for Americans* and the MyPyramid Food Guidance System—are critical in helping to stem and eventually reverse some of these disturbing trends. It is important for children and teens, especially, to adopt healthier eating behavior that is balanced with physical activity for about 60 minutes a day for overall health and fitness that will last their lifetime.

#### **Administering the Process for the 2010 *Dietary Guidelines for Americans***

In January 2011, the USDA and Department of Health and Human Services (DHHS) released the 2010 *Dietary Guidelines for Americans* -- the seventh edition -- a science-based blueprint for promoting good nutrition and health. The *Guidelines* are the

basis for setting the nutrition benefits for SNAP, the National School Lunch Program, WIC, and other nutrition assistance programs. Further, the *Guidelines* are the basis for dietary guidance and messages in nutrition education. The *Guidelines* provide advice for Americans, ages two years and older, about food choices that promote health and prevent disease, set standards for the nutrition assistance programs, guide nutrition research and education, and are the basis for USDA nutrition promotion activities. To promote the messages of the *Guidelines*, the CNPP uses on-line interactive tools, as well as a variety of print materials, to reach the general public and targeted audiences.

All nutrition assistance programs, a multiplicity of nutrition education and promotion programs Government-wide, as well as private sector nutrition education and promotion use the *Guidelines* as their focal point. This includes the education programs focused on promoting healthier eating behavior for the general population that CNPP administers as well as those administered by its sister agency, the Food and Nutrition Service, which focuses on serving two primary audiences: children and low-income populations. The DHHS has included the goals of increasing the consumption of nutrient dense foods and reducing the consumption of calories from solid fats and added sugars to its Healthy People 2020 objectives. Therefore, it is critical that the *Guidelines* be both scientifically up-to-date and in touch with the realities of contemporary living and what that means for the development and maintenance of a healthy diet and an active lifestyle. By statute, Congress requires that USDA and DHHS review the *Guidelines* at least every 5 years (see 7 U.S.C. 5341).

CNPP had the leadership role for USDA in administering the development of the 2010 *Dietary Guidelines*. USDA used strategies that included creating and implementing a new evidence-based system that was used by the Dietary Guidelines Advisory Committee (Advisory Committee) as it reviewed the most recent scientific literature. Historically, this Committee developed dietary recommendations by using a critical-review process to examine the literature that formed the basis of the science-based dietary recommendations. However, this process was not as rigorous as a system supported by a network of literature abstractors and an electronic framework, which is a more rigorous and transparent approach that is known as an “evidence-based review” system.

Over the past few decades, evidence-based systematic reviews have replaced expert opinion as the predominant basis for health-related treatment guidelines and policy. In response to this evolution, USDA, through CNPP’s efforts, established the Nutrition Evidence Library to specialize in conducting systematic evidence-based reviews to inform nutrition policy and programs. Use of the Nutrition Evidence Library ensures compliance with the Consolidated Appropriations Act of 2001 or *Data Quality Act*, which mandates that Federal agencies ensure the quality, objectivity, utility, and integrity of the information used to form Federal guidance.

The Nutrition Evidence Library also helped to ensure transparency. All of the evidence portfolios for each research question addressed by the 2010 Advisory Committee are posted on the Nutrition Evidence Library website. Therefore, the public has access to the Advisory Committee’s review of the scientific evidence used to support the

Committee's conclusions and recommendations submitted to the Secretaries of USDA and DHHS.

### **USDA Food Pyramid Encourages Healthful Eating Habits and Lifestyles**

The Food Pyramid is an educational system developed by USDA to translate the *Dietary Guidelines* into food-based recommendations and applications for the public. The broader MyPyramid Food Guidance System provides educational resources, messages, and personalized tips about nutrition and physical activity and extensive online interactive tools to promote healthy eating.

CNPP's interactive website—MyPyramid.gov—is devoted to promoting dietary guidance and educational materials that can help Americans improve their diet and become more physically active. Many Americans can dramatically improve their overall health by making modest improvements to their diets and by incorporating regular physical activity into their daily lives. MyPyramid helps people make healthy choices: It encourages flexibility in making choices to create a healthy eating pattern that meets nutrient needs and stays within calorie limits.

MyPyramid.gov has been extremely successful in reaching the public with scientifically based nutrition information. The public's use of MyPyramid tools has exceeded expectations and continues to increase. Visitors to MyPyramid.gov use a number of interactive, personalized tools, some of which are the following: MyPyramid Tracker, MyPyramid Plan, Inside MyPyramid, MyPyramid for Kids, MiPirámide (the

Spanish-language version), MyPyramid for Pregnant and Breastfeeding Women, the MyPyramid Menu Planner, and My-Food-a-Pedia. As a result, MyPyramid.gov has had well over 12 billion hits, mostly from general consumers, students, educators, and health professionals. Such a response makes it one of the most visited government websites.

Being responsive to addressing the nutrition education needs of Americans and ensuring that the MyPyramid Food Guidance System provides up-to-date information based on the *2010 Dietary Guidelines for Americans* requires IT platform-based development and continual enhancements. CNPP is making the necessary changes resulting from the recommendations by the 2010 Advisory Committee and the policy document produced by the USDA and the DHHS to change its educational system used to translate the *Dietary Guidelines*. CNPP is also preparing a comprehensive campaign to communicate nutrition messages to different segments of the U.S. population. In addition, CNPP continues to support the Administration's and Department's initiatives, such as Let's Move; The People's Garden; and Know Your Farmer, Know Your Food.

#### **USDA Food Plans – Eating Healthy at Minimal Cost**

USDA issues four Food Plans—the Thrifty, Low-Cost, Moderate-Cost, and Liberal Food Plans—that show people how to eat a healthy diet at various cost levels. The Thrifty Food Plan represents a minimal cost, nutritious diet; whereas, the other plans represent a nutritious diet at the second (Low-Cost Plan), third (Moderate-Cost Plan), and upper (Liberal Plan) quartiles of food spending. Each plan contains a set of market baskets, applicable to one of 15 age-gender groups; because, different groups have different

nutritional needs. Each market basket contains a selection of foods in quantities that reflect current dietary recommendations, food composition data, food prices, and actual consumption patterns.

The Thrifty Food Plan serves as the basis for maximum SNAP allotments. Often, the value of the Low-Cost Plan is used in bankruptcy courts to determine the portion of a person's income to allocate to necessary food expenses. The value of the Liberal Food Plan is used by the Department of Defense to determine the Basic Allowance for Subsistence (food allowance) rates for all service members because, they require a higher caloric level as they are undergoing basic training. The Low-Cost, Moderate-Cost, and Liberal Food Plans are used in USDA's *Expenditures on Children by Families* report, which is used to set State child support guidelines and foster care payments, and many divorce courts use the values of the USDA Food Plans to set alimony payments.

#### **USDA's Healthy Eating Index -- Measuring the Quality of the American Diet**

The USDA Healthy Eating Index (HEI) is a dietary assessment tool that measures quality in terms of conformance to the recommendations of the *Dietary Guidelines for Americans* and the USDA Food Patterns. The original HEI was created by USDA in 1995 and revised in 2005 to reflect the *2005 Dietary Guidelines for Americans*. The HEI-2005 is used for population monitoring, to inform development of nutrition education programs, for evaluation of nutrition interventions, and in research. As a research tool, the HEI has been used to assess the quality of Americans' diet and determine trends over time, measure the association between diet quality and health-related outcomes, determine factors that

influence diet quality, evaluate the effectiveness of nutrition programs, and evaluate the quality of food environments. The HEI will be updated for launch in 2012 to be consistent with the recommendations of the *2010 Dietary Guidelines for Americans*.

The President's budget for 2012 requests \$12.9 million for CNPP, of which \$9 million is requested to provide core nutrition education and research activities, including, the Nutrition Evidence Library (\$1,000,000); *2010 Dietary Guidelines* implementation (\$2,000,000); MyPyramid Enhancements (\$4,000,000); and Nutrition Education (\$2,000,000). This budget would allow USDA to prepare for and complete the tasks associated with the research work of the Nutrition Evidence Library, the promotion of the *2010 Dietary Guidelines for Americans*, and the enhancements to the *Dietary Guidelines*-based educational tools, specifically updating internet-based interactive tools and educational toolkits and updating USDA projects that incorporate the *Dietary Guidelines* as a standard for diet quality.

In 2012, the focus on dietary guidance will be implementation of a robust operation for communicating messages to the public and delivery of effective nutrition education to various population groups, especially schoolchildren. CNPP will be at the focal point of the research on the consumer- and health professional-tested, understandable and actionable nutrition guidance messages used by all of its Federal partners. The Center is building cutting-edge systems designed to foster behavioral changes toward positive dietary practices and active lifestyles, as well as increase the distribution of materials, to help reduce the obesity epidemic, reduce incidences of diet-related chronic diseases, through prevention-focused interventions, and improve the overall health of Americans.



The Center will implement systematic evidence-based reviews of research on obesity and nutrition education interventions to determine the most effective communication strategies, the most effective classroom and community-based instructional designs, and the best methods of measuring the success of such interventions in terms of knowledge attainment as well as behavioral changes. Also, CNPP will continue evidence-based reviews that answer specific policy questions to provide an evidence base for food, nutrition, and nutrition education practice decisions.

Specifically these funds will allow CNPP to (1) continue implementing the scientific evidence-based approach to nutrition guidance, (2) promote and communicate the messages of the *2010 Dietary Guidelines for Americans* to ensure that nutrition education has the greatest impact on diet quality, (3) perform evidence-based systematic review of nutrition education research to guide effective nutrition education interventions in schools and communities, and (4) build and maintain educational tools and systems that Americans can use to adopt behavior that leads to more healthful eating and active lifestyles. Additionally, these funds will be used to update USDA Food Plans and the USDA Healthy Eating Index, each of which must capture new aspects of diet quality identified in the recommendations of the *2010 Dietary Guidelines for Americans*.

The funding requested will help CNPP make a significant contribution to USDA's goal to help Americans in general and children in particular develop eating behavior that is more consistent with the *Dietary Guidelines for Americans*. CNPP will use foundational work in education, research, policy development, and promotion to build cutting-edge systems that will result in positive consumer behavior that can help reduce the obesity

epidemic, reduce incidences of diet-related chronic diseases, and improve the overall health of Americans.

With the support of the House Committee on Appropriations, we look forward to continuing to work toward improving the health of Americans by developing and promoting dietary guidance that links the best scientific research to the nutrition needs of all consumers. With this support, we will build and better promote personalized and individualized nutrition guidance tools that reach millions of Americans. Your support will help set the foundation for future development of nutrition policy that is vital to addressing the growing problems associated with overweight and obesity and the related health challenges in America.

I thank the Subcommittee for the opportunity to present this written testimony.

## BUDGET REDUCTIONS

Mr. KINGSTON. Thank you, Mr. Under Secretary. Let me ask this. In terms of this budget for this committee, this represents 75 percent of our appropriation. We have had nine hearings. I think we have one more next week, and that is our last hearing.

Every agency has proposed reductions and proposed cuts. Some of them have a bottom line lower than last year, but most have offsets. The only thing that you have proposed are cuts that would have happened anyhow, because they were one-year programs. The TEFAP infrastructure, the Social Security data, and SNAP school garden plot, those are all fairly small, numerically, to begin with, in comparison to the cost of the program. But they were also ones that were going to expire.

So, where have you seriously taken aim at doing it better? And, you know, you just mentioned the fraud and abuse. This might be a good time to tell us what you have done on that. But I am concerned that I do not see what I have seen in the other USDA agencies, in terms of their budgets.

Mr. CONCANNON. Well, Mr. Chairman, thank you for that question. We—as I mentioned in my overview testimony, these programs, these nutrition programs, which ultimately, of course, benefit American farmers and growers, have never been as urgently needed as now.

Mr. KINGSTON. I know that the stimulus program did not work, and the economy is in shambles, but what I want to know is: what have you done to reduce the cost of the program?

Mr. CONCANNON. We have done a number of things, Mr. Chairman.

Mr. KINGSTON. And there is bipartisan support on this.

Mr. CONCANNON. Yes.

Mr. KINGSTON. And I know that people in this town love to live in the reality, “Oh, they want to starve kids.” You know, you can feed kids and do it efficiently and do it effectively and be good stewards of the tax dollars. And so that is what I am asking.

Mr. CONCANNON. Yes, Mr. Chairman. Well, as a matter of fact, I am recalling the enactment of the Healthy, Hunger-Free Kids Act of 2010, that reductions were made in both the SNAP Education Program, as well as in the WIC Program, as well as in the stimulus funds that were previously authorized in order to fund that program, without increasing the Nation’s deficit.

So, we have been very much in the middle, are very conscious of the need to make sure we are being good stewards.

And, as I mentioned in my opening remarks, everything we do we do through States. And we have been working very closely with States right across the country to encourage them both to simplify the process, the eligibility process, to reduce the administrative costs associated with programs, and to strengthen their oversight, to make sure that people are not improperly receiving the benefits or fraudulently using the benefits.

## PROGRAM INTEGRITY

You mentioned—or at the end of your question—the interest in the question of fraud. I am happy to report that fraud is one of the

areas that we pay particular attention to. The amount of fraud in the SNAP Program, as an example, is just under one percent, fraud being the misuse of benefits, typically involving vendors as well as consumers that may cooperate with them in this regard.

In 1993, the program experienced way back in the era of food coupons, paper coupons, an annual fraud rate that was in excess of \$800 million. The last year for which we have recorded data on fraud, 2008, it was in the \$330 million range.

Mr. KINGSTON. Let me ask you this.

Mr. CONCANNON. That is still a large amount of money, but we—

Mr. KINGSTON. Well, let me ask you this on that subject, because the OIG report said that 3,981 SNAP retailers were found guilty of fraud, yet they are still participating in the program. How could that happen?

Mr. CONCANNON. Mr. Chairman, there are a number of steps that we can take to deal with retailers. I am very mindful of a recent public example of fraud out in the Seattle area. But we have immediate authority to disallow—

Mr. KINGSTON. But—I know you have that, but you haven't done it. That is my point. According to the IG, not according to me. I got this from the IG, who testified before this committee that 3,981 have not been blackballed from the program. These are retailers. And I do not understand why there is a gray area to it.

You know, it is kind of like if you get caught going 70 miles an hour in a 55 zone, you get a ticket, period, no questions. Why aren't they blackballed already?

Mr. CONCANNON. We do. To use that term, we blackball a number of them. And we have several levels of authority to do that. We can immediately disqualify them from the program.

Mr. KINGSTON. Okay—

Mr. CONCANNON. And we do that a number—we did 900 last year.

Mr. KINGSTON. Mr. Under Secretary, let me be very respectful on this, but very firm. I want to know, out of those 3,981, how many are blackballed.

Mr. CONCANNON. Last year, 991 were permanently removed from the program. That is the number we used. In a number of other—

Mr. KINGSTON. Let me commend you. That is very good. Now, what about the other 3,000?

Mr. CONCANNON. In the other—in the instances of the other, we have time-limited sanctions. In other words, depending on—an example of a fraud may be a consumer going into a store and actually paying for toothpaste, or paying for a non-food item. That is wrong. That is fraudulent. And in that case, that vendor is not permanently put out of the program. There are time limits, the first time, for non—they are knocked out of the program for a period of months. The second time that doubles. Third time, you are out forever.

So, there are a number of examples like that. There are other examples where we turn the case over to the—either to the local law enforcement, or to the Office of Inspector General, and they may determine that they want to spend the time putting together a

criminal case. And, as you would know often times the burden for us, to be able to hold up in a criminal case is much more than the administrative authority we have to just simply cut them off.

Mr. KINGSTON. Yes, so—

Mr. CONCANNON. We work very closely with the OIG.

Mr. KINGSTON. And my time has expired. But if I am hearing you correctly, what you are saying is, of the 3,981, there is different categories of the fraud, some worse, some not so bad, and they are in an either first time, second time offense, and you are watching them.

That is what we want to know. Of those 3,981, have names been taken and actions—because that is what really is—the IGs seem to be suggesting that, well, they were caught but nothing happened. So—

Mr. CONCANNON. No, that—

Mr. KINGSTON [continuing]. If you could, for the record, maybe send me the disposition of that, that would be very helpful.

Mr. CONCANNON. I would appreciate—

Mr. KINGSTON. And I would really appreciate that.

Mr. CONCANNON. We appreciate it.

[The information follows:]

The time period covered in the testimony given by USDA's Office of Inspector General was 2004 through 2008. During that period, FNS permanently disqualified 3,891 stores from program participation for trafficking, which is the exchange of SNAP benefits for cash. That is, those owners are identified in the SNAP system and prevented from ever participating as a SNAP retailer again.

In addition to these retailers that were permanently disqualified, during the same time period (2004–2008), FNS temporarily disqualified (usually 6 months) another 2,851 stores for less serious program violations, such as the exchange of SNAP benefits for ineligible items.

Per Section 12, U.S.C. 2021, of the Food and Nutrition Act of 2008, FNS takes reciprocal action against program participation if a firm is disqualified from SNAP or the Women, Infants, and Children (WIC) Program. FNS referred all 6,742 stores (3,891 permanent disqualifications plus 2,851 temporary disqualifications) disqualified during the time period specified by USDA's Office of Inspector General to WIC State Agencies for removal of any stores with dual participation.

Since that time, in fiscal years 2009 and 2010, FNS has disqualified an additional 1,824 stores permanently for trafficking, and 1,007 stores for shorter periods as a result of less serious program violations.

In sum, between 2004 and 2010, 5,715 retailers have been permanently disqualified from participation in SNAP and 3,858 retailers, have received lesser disqualifications for a total of 9,573 disqualification actions.

Mr. KINGSTON. And my time has expired. I appreciate it. And Mr. Farr.

Mr. FARR. Thank you, Mr. Chairman. I have lots of questions. First of all, I appreciate all the good work you do. I think that, as we debated this health care bill, it was very evident that if we are going to have a healthier America—and, therefore, less costly health care in this system—it is going to start with having to change the dietary consumption in—and make it more nutritional in America, and particularly starting with kids, but also everyone else. We are all going to have to have healthier lives by more healthy eating.

You are on the front line of that. And I have been telling the growers of healthy foods—and I think you, as the administrators of it—that you are really the first responders to America's health care needs. And I hope that we can start designing programs that

really line up the public policy of the country to be consistent with really good health standards.

#### ADMINISTRATIVE COST IN THE NSLP

I want to ask—I don't know whether to ask Ms. Paradis or Mr. Young. What is the percent of the entire child nutrition, food nutrition program, that goes to administrative costs versus just to purchasing food, like food school lunches and—

Ms. PARADIS. The administrative cost and the benefit dollars. Have we got that?

Mr. FARR. Can somebody find that? If you can't find it right now, I will take the answer later, or I will take it—

Ms. PARADIS. Well, of course—

Mr. FARR. What is your guess?

Ms. PARADIS [continuing]. The easy answer is that the lion's share, of course, is in benefits. You know, as we approach \$100 billion, most of that is benefits. A relatively small percentage of that is administrative dollars.

Mr. FARR. Well, that is—because that is not what I hear at the school delivery site, you know, at the lunch site. They tell me that the bureaucratic standards—and obviously, you are going to streamline them now, be able to qualify—but often case the bureaucratic cost of having to do all the monitoring and—not food preparation, just the monitoring, the computer—is 60 percent of the program.

Ms. PARADIS. Well, there is no question. But what—a significant proportion is in respect to monitoring. That is largely because, over the years, we have realized the importance of maintaining the integrity of our programs, and maintaining our—

Mr. FARR. Well, what is important, feeding the kids or integrity of programs? I have got schools where now—and this leads into this—we have got to get away from this stigma of having rich kids in one line and poor kids in another. I have a school in my district where the kid wouldn't go to lunch, because she was poor. But she couldn't eat upstairs. They actually put them on different floors. And everybody knows that if you are going to the lower floor, you are a poor kid. So she wouldn't do it, because she didn't want to admit that she was from a poor family.

What are we doing to children like that? They are hungry. Why do we have a program—you are going to talk about integrity of management, but it is a dumb way to run a feeding program.

Mr. CONCANNON. Congressman, that is an excellent point, and that is a deplorable situation for any child.

I should point out that in the Healthy, Hunger-Free Kids Act of 2010—first of all, let me say the typical school meal—when we reduce the school—reimburse the school for a fully-paid meal, it is \$2.72 per meal. About half of that \$2.70-plus is the actual food product. The other half are all the folks in the food line, men and women who prepare the food, the chefs, and then there is a small portion of it for administration. It really isn't anywhere near close to 60 percent. Whoever would have conveyed that to you is just plain, outright not correct.

Mr. FARR. Well—

Mr. CONCANNON. It is a much smaller portion of it.

Mr. FARR. I will tell you I—she is a career food nutritionist in the program and running it, and she took——

Mr. CONCANNON. I want to be——

Mr. FARR. I mean—having to count for every child and every meal, and whether that meal was given to that child, and that child was the right one to receive that meal is—there is a lot of bureaucratic mess.

Mr. CONCANNON. There—no—

Mr. FARR. There is a much better way of doing that.

Mr. CONCANNON. There are administrative costs, and we are working hard at promoting, as you authorized us and directed us in the Healthy, Hunger-Free Kids Act of 2010 to do, to do more direct certification, to do more online applications, to use more technology so we don't put children or the school administrator programs—so I am very conscious that we want to reduce the administrative portion of it. I just—the only note I want to make, it is not as much as that. It is more than it should be, we are working hard on it——  
[The information follows:]

The latest national data on school meal production costs, from USDA's School Lunch and Breakfast Cost Study—II shows that the great majority represents the cost to prepare and serve meals—the cost of the food, the salaries of cafeteria workers, and some related expenses such as supplies, contract services, capital expenditures, and other charges.

In school year 2005–2006, about 8 percent of all reported costs was for “administrative labor,” including the cost of processing applications, conducting verification of a sample of applications, and a wide range of other administrative tasks such as planning, budgeting, and management for the foodservice program. While SFAs vary widely in the proportion of reported labor costs devoted to administration, in 93 percent of them administrative labor accounted for less than 15 percent of total reported costs.

#### OVERT IDENTIFICATION

Mr. FARR. But why don't we approach it—let us feed kids that are hungry, and worry about whether they are classified as rich or poor somewhere else.

Mr. CONCANNON. Well, to that question you mention of the separate line, and sort of the——

Mr. FARR. I mean Colorado is picking up the bill for every kid, right? They are not going to do that——

Mr. CONCANNON. Well, they are subsidizing.

Mr. FARR [continuing]. Discrimination.

Mr. CONCANNON. And some States like Connecticut, for example, subsidize the meals by \$.10 per meal. So there are a number of States across the country that add a portion to it.

But to your concern, in the Healthy, Hunger-Free Kids Act of 2010, you, I think—you, the Congress—gave us the authority to regulate all foods in schools in the future. And the—that is a very powerful directive to us. And the intent is to make sure that those a la carte, or those other meals, meet a quality standard, the same as the school lunch program, but also to close that gap of rich and poor, so you do not have kids from wealthier families getting in one line and, de facto, all the poor kids going in another direction. That should not happen.

Ms. LUMMIS [presiding]. Thank you. Time has expired. Our next Member is Mr. Graves.

Mr. GRAVES. Thank you, Madam Chair. Mr. Under Secretary, thank you for being here. And I know that the challenges you must face, and I appreciate the intent in which you go about your department there.

#### BUDGET REDUCTION

And, as those that come before any of the subcommittees I am on, I ask for your assistance in helping us as we look at the situation we are in. I think we all know the fiscal challenges we have, and the chairman has already brought up some of his concerns about your proposal. And something I ask each one that comes before us is if you would work with us in providing us with options on how you can achieve your core mission at reduced budgets of what you are proposing at 10 percent, 20 percent, and 25 percent. Would you commit to helping this subcommittee with some of those ideas?

Mr. CONCANNON. We certainly would be willing to show you what the impact of those cuts would be.

Mr. GRAVES. And I will have a letter to submit to the chair for the record, as well. And I appreciate your willingness to help us in that.

#### WIC ELIGIBILITY

A couple of questions I have, and just thinking about your testimony—and I am going to read—you say that the programs are designed to respond to the needs—and this is your quote—“the needs of the hardest hit households.” And I think we have heard some of the concerns there is that eligibility has been expanded past maybe beyond the hardest hit.

For example, the WIC program is designed to serve at—and this is the quote—“at or below 185 percent of the U.S. poverty income guidelines,” but it appears that there may be a little wider discretion. And so I guess, if this is the case, and we are at 185 percent, is it true that many of the participants could gain eligibility at 300 percent of—or less of the poverty level?

Mr. CONCANNON. That is Medicaid, I believe, income eligibility. That is not the eligibility for the WIC Program. And the WIC—it is unfortunate. I spent my career as a State Health and Human Service Director. And I think it is unfortunate that we even use those percentages, because I think 185 percent of almost anything sounds like a lot. But 185 percent of the Federal poverty level is still a very modest amount of money. One of the national—

Mr. GRAVES. What would that number be? What would 185 percent—what calculation do you use?

Mr. CONCANNON. We will give you that.

Mr. GRAVES. For, just say, a family of four.

Mr. CONCANNON. We will give you that. We will have somebody pull that off a matrix here. It is standardized across the county—yes, what is it? They are getting it right here.

But it actually is not that much. And I should point out that the WIC Program serves 49 percent of all the births in the United States, 49 percent of all the moms. And it is—research after research after research has shown it to be one of the most effective preventative health programs, because it helps produce good out-



comes, in terms of births, preventing—for a family of four, 185 percent of the poverty would be \$40,793, or \$3,400 per month.

Mr. GRAVES. So you can confirm, then, that a family of four would not qualify if their income was \$67,000 or more.

Mr. CONCANNON. They would qualify in a number of States for the Medicaid program if—Medicaid—States have options on how high they go for pregnant women, in particular. I can say that from the States that I worked in. We elected to go up to 200 percent of poverty in Iowa.

Mr. GRAVES. Do you verify income?

Mr. CONCANNON. Yes, the income has to be verified. Yes, indeed.

Mr. GRAVES. So all are income-verified.

Mr. CONCANNON. Correct. For WIC, as well.

Mr. GRAVES. Okay. Then I guess let me sort of—

Mr. CONCANNON. But there may be, again—excuse me, I didn't want to interrupt—there may be Medicaid beneficiaries who also—who become eligible for Medicaid and get health services and so on through Medicaid, whose incomes may be up to 300 percent. A relatively small number of States adopted that, but I am—that high—

Mr. GRAVES. Would you believe that a family that has income at 300 percent of the poverty level should qualify?

Mr. CONCANNON. I believe the State makes that decision. That is a State determination. And I think States—as I said, I spent my career in the States. I think if a State makes that as a policy, that is the State's policy.

#### PROGRAM PERFORMANCE

Mr. GRAVES. What would be your measurement of success with your program? How do you measure that?

Mr. CONCANNON. Our measurement of success—and we operate 15 feeding programs. And our measurement of success is are we, one, reducing hunger or food insecurity, as has already been mentioned, and are we getting healthy, nutritious foods to persons through this program. And thirdly, I would say, are we helping American farmers and growers? And we pay attention to all three of those.

Mr. GRAVES. You—

Ms. LUMMIS. Thank you. Time has expired.

Ms. DeLauro.

#### SNAP SPENDING CUTS AND FOOD INSECURITY

Ms. DELAURO. Thank you very much, Madam Chairman. Let me just—it has been argued by some that the recent growth in spending in the SNAP benefits program has been problematic and should be targeted for cuts. I would remind the subcommittee that SNAP spending has increased. These increases are not a sign that the program is growing out of control, but has grown because of the declining economic circumstances of tens of millions of Americans.

I would just say to my colleague, Mr. Graves, that in Georgia, in his district, 20.4 percent of that population is categorized as food insecure. For Mr. Bishop, it is 22.7 and for Mr. Kingston it is 22.4. I told you what Connecticut was a little bit ago.

The recent SNAP increases have been caused primarily by three factors. The economic recession accounts for two-thirds of the increase between 2007 and 2010. Temporary increase to SNAP benefits that was enacted in the economic recovery program—and I will make a reference to that again. Economists across the political spectrum viewed this as the most effective and efficient form of economic stimulus. And, three, food price inflation, high between 2007 and 2008, ease 2009 and 2010, now on the rise again.

CBO projections: as a share of GDP, SNAP is expected to return to pre-recession levels by the end of the decade. As the economy improves, the need for and the use of this program will also decline. The projections are consistent with CBO's unemployment projections, which forecast that the unemployment rate will remain above six percent until about 2015. Based on the projections, should SNAP be targeted for cuts? Is it contributing to long-term budget pressures?

I have got several questions I am going to ask for some not-lengthy answers, Mr. Secretary.

Mr. CONCANNON. Sorry. That is always a challenge for me.

Ms. DELAURO. I know. Me, too. It is a challenge for me.

Mr. CONCANNON. I do not—SNAP—unequivocally do not believe it should be targeted for cuts, because it is so responsive to what is going on in the American economy, even at the rate we are serving, and there is variability from State to State, as to the percentage of eligibles receiving the benefit.

We know it is important. New York City released—or a study in New York City just a few weeks ago said the SNAP Program alone last year prevented 250,000 New Yorkers from slipping into poverty. The Census Bureau, back in January, pointed out that 4.5 million Americans did not slip into poverty last year because of the effect of the SNAP Program in their lives. And I have heard from supermarket executives from Texas to Maine about the importance of the SNAP Program in enabling not only their consumers, but enabling those stores to employ full-time workers and hourly workers.

Ms. DELAURO. And so I am going to presume that it is not contributing to the long-term budget pressures that we have.

Mr. CONCANNON. No, I do not believe that it is.

Ms. DELAURO. Okay.

Mr. CONCANNON. In fact, we know the multiplier effect—

Ms. DELAURO. That's right, which I want to get to. If the economic recovery is faster or stronger than current projections, SNAP spending also would decline more rapidly, correct?

Mr. CONCANNON. Correct.

Ms. DELAURO. Okay.

Mr. CONCANNON. Yes.

Ms. DELAURO. In the long term, would the upward pressures on spending then be focused on population growth?

Mr. CONCANNON. Yes.

Ms. DELAURO. And food price inflation?

Mr. CONCANNON. Yes.

#### SNAP ECONOMIC BENEFITS

Ms. DELAURO. Okay. Now, the impact on SNAP on the economy, undeniable. I am going to give you Mark Zandi, the economic advi-

sor to Senator McCain in his presidential election. A dollar of SNAP food stamp creates a ripple effect, which you pointed out, through the economy. What Mark Zandi did was he showed—I asked him this question at a hearing. When we were running up to the stimulus package, the economic recovery package, what would help to stimulate the economy most quickly?

Three items: extension of unemployment benefits, refundable tax credits and a child tax credit, and food stamps. All three of those were part of the economic recovery package. The multiplier effect is, you know, you give somebody who is living paycheck-to-paycheck a dollar, they are going to spend it on whatever they need: groceries, pay the telephone bill, the electric bill. That dollar pays the salaries of grocery clerks, truckers who haul the food and produce it across the country, and the farmer who grows the crops. USDA—

Ms. LUMMIS. Time has expired. Thank you. We will get back to you.

Ms. DELAURO. Oh, I appreciate that. Thank you, Madam Chair.

Ms. LUMMIS. Mr. Nunnelee.

Mr. NUNNELEE. Oh, thank you, Madam Chairman. Thank you for being here, Mr. Secretary.

Your testimony—I think you make the statement that says, “We cannot compete and win the future if our people are hungry, and our children are poorly nourished. Our new mothers or newborn infants do not have what they need for a healthy start.”

#### PIGFORD RESCISSION

I agree with you, and applaud that. But I have to ask. If that is your position, if that is the position of the administration, when it came time to settle Pigford II, how does taking \$562 million out of WIC funds that have been approved by this committee to pay Pigford II line up with that statement?

Mr. CONCANNON. Well, first, very importantly, let me mention that we have been in the situation for the last several years—and expect to remain in that situation—to be able to serve every eligible WIC mom and her child who comes forward. And the portion of the WIC appropriation that was applied to the Pigford settlement, a long-standing civil rights issue in the Department—I am happy that it was finally settled—we were able to make that contribution without in any way compromising access to the WIC Program, or any of the folks who are eligible for it.

So, we have not sent out the signs, we haven’t said, “Don’t come our way if you are pregnant or have infants or young children below the age of five.”

Mr. NUNNELEE. So that means that we cannot expect, going forward, to have your department come before this committee and ask for additional funds to restore this \$562 million that was cut?

Mr. CONCANNON. No, we do not expect to have to do that, sir.

Mr. NUNNELEE. All right. Thank you. Now, different areas.

#### INCOME VERIFICATION

We talked about verifying income eligibility. How do you verify income eligibility, and how often?

Mr. CONCANNON. The—as I mentioned at the outset, virtually all of our programs are operated through State agencies.

And in the WIC Program, as an example, most of the WIC programs across the country are operated by health departments, either the State or county health departments. I have been to a number of them in different States. They sit down with a person when they present themselves, and they go through—they ask a series of questions around family income, around health issues, pregnancy, et cetera, children in the household.

And so, they also—there are a number of persons in the WIC Program who may also be eligible for the SNAP or the Food Stamp Program. Depending on which State you live in, it is still called Food Stamps in about 18 or so States, I am told. They—the State agency, in that case—in most instances, people have to go into a State office or a county office, and they are asked a series of questions about income. And we have—or States, I should say, have—a variety of ways of verifying that income. States have access to IRS data, to Social Security data, to information kept by a database on prisoners, for example, who are incarcerated, for example, across the country in prisons. A small number of States use—have access to data systems that list child support, interstate child support payments and orders.

So, there are a variety of external ways to verify that data. And that is very important to us. That is one of the factors we look at when we examine State eligibility systems.

Mr. NUNNELEE. Do we just ask people, “Is this your income,” or do we ask them to bring in their income tax statements, their paychecks?

Mr. CONCANNON. Well, they need to have various means of verifying that. It can be—could be a stub of a paycheck. It could be, again, as I said, tax information. There are a variety of ways to verify that. But it isn’t just a—it is not just “Tell me,” and we accept it on faith.

Mr. NUNNELEE. And then, final question. What about people that work for cash, that does not show up on IRS or paycheck?

Mr. CONCANNON. You know, that is a challenge in the country, because I administered child support programs in three States. And I know, for people who are wanting to evade their child support obligations, it is a very serious matter when it happens. And, obviously, if somebody is working for cash, then the employer certainly is equally complicit in that.

So, we do not approve that. If we think we have evidence of that, we certainly turn it over to the other authorities, who investigate that. But it is a problem.

Ms. LUMMIS. Time has expired.

Mr. NUNNELEE. All right. Thank you, Madam Chairwoman.

Ms. LUMMIS. Thank you, Mr. Under Secretary. Thank you, Mr. Nunnelee. Mr. Bishop.

Mr. BISHOP. Thank you very much, and welcome to the panelist.

#### PARTICIPATION OF MILITARY PERSONNEL IN SNAP

Let me just quickly ask you—I was very, very interested and associate myself with the questions and comments of Ms. DeLauro,

with regard to the impact, the economic impact, of the nutrition programs, particularly the SNAP program.

But let me ask you. How many of our military personnel, our young soldiers and their families, their young families, are participating in the food nutrition programs? Do you have any way of giving us what that number is? Because we are given the understanding that some of the lower grade officers, or lower-grade—

Mr. CONCANNON. Enlisted men, yes.

Mr. BISHOP [continuing]. Enlisted men, particularly, are not able to manage without the help of food stamps. And our military families, who are defending our nation, are having to depend on this supplemental nutrition effort.

Mr. CONCANNON. We will have to provide that data for you. But again, I recall, from being a State director in the State of Maine, a large Navy base in the State where, particularly enlisted—families of enlisted men and women were eligible for the program, based on how inadequately, I would say, they were reimbursed.

Mr. BISHOP. I think that is important to put in the record, so that we can definitely document that information. So I would appreciate that very much.

[The information follows:]

The Department of Defense estimates that very few active duty military members receive SNAP benefits. DoD's latest study found roughly 2,000 military families in SNAP in 2002. This number is in line with estimates derived from the SNAP quality control system, which indicates that there were about 3,100 active duty military individuals receiving SNAP in FY 2008 and 3,200 in FY 2009.

Mr. CONCANNON. Okay.

#### SNAP WAIVERS

Mr. BISHOP. There have been a number of SNAP waiver requests by states. What is the status of the waiver requests from states that are seeking to prohibit SNAP recipients from purchasing certain foods with their benefits?

Mr. CONCANNON. Well, we have a—first of all, let me just say, generally, we have granted waivers to States that are more typically to ease the burden on the State agency, in terms of administrative responsibilities or, for example, to provide better access to certain populations.

For example, seniors or disabled persons, the requirement for a face-to-face interview with a State agency, we have waived that in a number of cases, recognizing again the elderly or disabled persons.

But to your question, we have a pending single waiver request from the City of New York that is currently being reviewed. And we have a number of questions about it, we are in the process of both—we have asked questions, they have responded to us, we are further reviewing that particular request.

But let me just comment not so much about that individual request, as much as the broader question of eating patterns of people in the SNAP Program. In the Center for Nutrition Policy and Promotion, their studies, as well as other parts of USDA, consistently point out that poor people, as a percentage of their budget, eat pretty much the way the rest of us do, in terms of where they ap-

portion, how much they spend on dairy, how much they spend on meat, how much they spend on cereals, et cetera.

And we are also mindful of the fact that, in the SNAP Program—and I should point out SNAP——

Mr. BISHOP. Let me just—aren't some states asking for discretion to be able to allow foods that are not normally considered—to allow products that are not normally considered food to be covered by SNAP? Aren't there some requesting that?

Mr. CONCANNON. Well, we have seen references to that, that those kind of questions have surfaced in some State legislators. But we have no formal request in that regard. We have a single formal waiver request from the City of New York that is being reviewed.

But I wanted to point out that, under the Farm Bill, all foods are—as long as they are not hot foods, all foods are acceptable in the SNAP Program. The typical supermarket has 65,000 or so items. And——

Mr. BISHOP. But the act defends what food is, doesn't it? That is not a matter of administrative discretion.

Mr. CONCANNON. No, that is correct——

Mr. BISHOP [continuing].—Change the definition.

Mr. CONCANNON. The law defines it. You are correct, sir.

Mr. BISHOP. Okay.

Mr. KINGSTON. If the gentleman will yield, though——

Mr. BISHOP. I will.

Mr. KINGSTON. You can use them for Burger King in Puerto Rico and a few other states. And that is a hot meal.

Mr. CONCANNON. In a very limited number of States, again, for—targeted at homeless people and disabled or elderly folks. Very limited.

#### NUTRITION STANDARDS IN SCHOOL MEALS

Mr. BISHOP. Talk to me about the food standards, the school lunches. You issued a proposed rule which would raise the standards for school meals for the first time in 15 years. That has not necessarily been well received, although some of us applaud it. It hadn't been done in 15 years and, of course, the state of health of our young people has degenerated over that time period. Can you comment on that? I know my time is out.

Mr. CONCANNON. Yes, you are correct. We have a pending rule that is actually—we are receiving comments right now, received over 3,000 comments. That period of comment ends the 13th or 14th of this month. We are paying careful attention to the comments.

But to your point, it is the first major improvement in school meals—and I have used school meals as the public utility for—32 million children have lunch every day in our programs. And to the extent that we improve the meal quality in all of the foods in the schools, we will hit even more. We will hit more of that 50 or so Americans—50 or so million American children.

Mr. KINGSTON. Ms. Lummis.

Ms. LUMMIS. Thank you, Mr. Chairman. I would like to yield a portion of my time for one question to Mr. Graves, because I ran a pretty tight clock on him. [Laughter.]

Mr. GRAVES. Thank you, Ms. Lummis. I just want to go back to—we were talking about measurements of success.

Mr. CONCANNON. Yes.

#### PROGRAM PERFORMANCE

Mr. GRAVES. And so, quickly, I believe it was Ronald Reagan who said—and I am going to paraphrase and probably butcher it—but he said, “We should measure the success of entitlements not by the addition to the enrollment, but more so by those who come off of the rolls.” Would you agree with that statement?

Mr. CONCANNON. Yes.

Mr. GRAVES. Then how would you measure the success of your agency? Do you see the rolls decreasing over time? Do you see a—less dependency on the Federal Government in these needs? Or do you see it increasing?

Mr. CONCANNON. We see—they are very, as I mentioned several times, they are very responsive to what is going on in the economy. And to the extent that the American economy is generating more jobs for individuals and families, the number of persons eligible for these programs will decline.

Now, we also know that, to the extent that you are healthy, whether you are a child or an adult, whether you are getting adequate food, you are going to be much more able to fulfill or fill those jobs—

Mr. GRAVES. So have you seen the rolls decline at all?

Mr. CONCANNON. We haven’t seen them in this most recent, but we have seen them historically decline. As the American economy improves, the unemployment rate goes down, then the food stamp rolls have gone down. So—

Mr. GRAVES. Thank you. I will yield back to Ms. Lummis. Thank you.

#### EFFECT OF REQUIREMENT FOR HEALTHIER MEALS

Ms. LUMMIS. Thank you. Question about school breakfasts. Have you considered the unintended consequences of schools and states dropping the school breakfast program and lunch program if it gets too cost-prohibitive? Because these are unfunded mandates, in some part.

Mr. CONCANNON. Well, we are very conscious of the concerns out there on the increased requirements for healthier foods.

But we are also equally conscious that there are a number of schools across the country that are part of a category called HealthierU.S. School Challenge. And there was a major story in the Chicago paper, just within the last week, about schools in the Chicago area—these were four or five private schools—where they are serving, from scratch, healthy meals, whole grains, meeting these standards, within the \$2.72 per meal.

So it is going to be a challenge for many schools. But we certainly believe schools can meet that challenge. We are proposing to work with schools across the country. And we know it is a public health issue and it is a future issue. I think you were—Members of Congress were approached by retired generals and admirals last year who are fearful about the number of young people who no longer qualify for military service because they are so overweight.

So, it is not just a nice thing for us to do, it is an urgent thing for us to do.

I believe we can do it. I know change makes people anxious, but we are committed to work with schools across the country to help achieve it.

#### DIETARY GUIDELINES COMMUNICATION

Ms. LUMMIS. Regarding the dietary guidelines, how do you weigh the goals of accuracy of scientific information and simplicity of understanding by the general public?

Mr. CONCANNON. That is an excellent question. Let me say on that point we have relied for years on an icon, the food pyramid or the MyPyramid, which is—

Ms. LUMMIS. Yes, that's what I learned when I was in 4-H, when I was a little kid.

Mr. CONCANNON. Well, and we have, you know, future—or later editions of it, I should say, that, again, are science-based, but they are great teaching tools for, I think, professional nutritionists, dietitians, health professionals. But they fall off, in terms of how they inform the average Americans.

So, we have been working very much on additional ways of conveying to the average person. Because the latest dietary guidelines, perhaps for the first time, said something basic to Americans: “Enjoy your food, but eat less.” I think we somehow think in the U.S. super-sizing—bigger is better. It isn't necessarily so in the food arena.

So, we are very much committed to the—

Ms. LUMMIS. Can I ask you another question?

Mr. CONCANNON. Oh, sorry.

#### IMPACT OF BROAD-BASED CATEGORICAL ELIGIBILITY

Ms. LUMMIS. Okay. Do you know what percentage of SNAP growth is a result of broad-based categorical eligibility, versus an increase in regularly eligible SNAP participants?

Mr. CONCANNON. I know this—there are 42 States that have adopted broad-based categorical eligibility. Nebraska was the latest. We have looked at the effects of broad-based categorical eligibility, and the income eligibility for SNAP requires that the person net-net, even with broad-based categorical eligibility, their income cannot be above 100 percent, net income above 100 percent, of the Federal poverty level.

Because of broad-based categorical eligibility, there is about one percent of the current SNAP enrollment whose net income is above that. Or it may be two percent, but they represent less than one percent of the benefits being expended. So it is a very, very—most minimal impact on that.

The principal benefit is—of broad-based categorical eligibility that I know—is that it helps people who have never envisioned needing SNAP, never envisioned going into a public office, who have lost their job or the company is closed. They can come in the door and we can serve them.

Ms. LUMMIS. Thanks, Mr. Under Secretary.

[The information follows:]



It is not possible to distinguish the proportion of the recent SNAP growth that is due to improved access through broad-based categorical eligibility (BBCE) from the proportion that is due to the economy, but there are multiple reasons to suggest that the economic downturn is the main factor in participation growth.

We know, for example, that only 2 percent of all SNAP participants had income that exceeded the federal gross and net income thresholds, which indicates BBCE has not attracted large numbers of previously ineligible households.

SNAP is designed to grow and contract with shifts in the economy. Participation typically increases as the economy declines and decreases as it recovers. Both the poverty and unemployment rates have significantly risen over the last few years, accompanied by increases in SNAP participation. Only now as the economic indicators begin to improve, do we expect SNAP participation growth to slow and then decline.

#### WIC INCOME ELIGIBILITY

Mr. KINGSTON. Mr. Under Secretary, to pick up on that—and we are starting on our second round now—but the idea of the WIC program was for household incomes at or below 185 percent of U.S. poverty income guidelines.

But because of categorical eligibility, some states can go up to 300 percent, and families of 4, up to \$67,000 in household income. Forty-nine percent of the kids today are eligible for WIC. It is hard for me to believe that that many families have impoverished kids. Forty-nine percent. That was the number that you guys gave us last year.

Mr. CONCANNON. I am trying to—you lost me in that.

Mr. KINGSTON. And that is what drives it, because if you are eligible for Medicaid, then you get the categorical—and it can go up to 300 percent of poverty.

And again, you know, in times of hard budgets, you know, it is almost like, well, those who have a job have to pay more for those who don't. And, you know, I understand, you know, income transfers and all that. But there comes a point where 300 percent above poverty, that is the problem with categorical eligibility.

And keep in mind that the President cut WIC last year \$562 million. It is interesting to note that the WIC people did not protest that much on it. I am glad to say my friend from Connecticut did. But you know, I can only imagine what would have happened if George Bush had cut WIC \$562 million.

Mr. CONCANNON. Yes. I am reminded that that 300 percent that you mentioned, then—and Mr. Graves asked me as well, earlier—relates to that Medicaid crossover, in terms of eligibility.

But I would be surprised if there is—in fact, I will ask our folks to look at segmenting, if we can, how many folks have come into the WIC Program who are at that—

Mr. KINGSTON. Would you agree—

Mr. CONCANNON [continuing]. Or close to 300 percent.

Mr. KINGSTON. Would you agree that 300 percent is excessive?

Mr. CONCANNON. No. Unfortunately, I would not, in terms of if you are pregnant, and if you are living in high—States that are very expensive places, like New York State and so on, or California.

[The information follows:]

The latest data, from 2008, shows that only about 0.4 percent of participants have reported income greater than 250 percent of the Federal poverty level. This is so because only seven States have Medicaid income eligibility limits above 250 percent of poverty.

## HOME DELIVERY

Mr. KINGSTON. Or what about—let me ask you this, speaking of high places. Let us talk about Cape Cod a minute.

Home delivery program to Cape Cod kids—is that a high poverty area? The home delivery program delivers food to homes, to kids. And I have never been to Cape Cod. I understand the Kennedys have places there. I have never been on the invite list. But all I can envision is huge houses and limousines. But we are delivering food there.

Mr. CONCANNON. You have been paying attention to too many of those ads, then. There are a lot of poor people in Cape Cod, as well—

Mr. KINGSTON. A lot of poor people in Cape Cod.

Mr. CONCANNON [continuing]. Different parts of Massachusetts.

Ms. DELAURO. Food security for Cape—not Cape Cod, but it is Congressman Frank's district, is 16.5 percent. So it—

Mr. CONCANNON. Yes, there are poor kids there, yes.

Mr. KINGSTON. Seems like the good rich people at Cape Cod need to take care of their neighbors a little bit better.

Let me ask you this on WIC—

Mr. CONCANNON. They are employees.

Mr. KINGSTON. They are employees. I know they would not want to wash their own dishes, the good people at Cape Cod.

## FTC INTERAGENCY WORKING GROUP

Let me ask you this on the subject of WIC. You are familiar with the working group, the USDA working group with FTC and CDC and FDA. Now, are you aware that their December 2009—could my friends on the left calm down a minute? You are going to get your five. [Laughter.]

Mr. KINGSTON. Hey, do I always deliver to you? You will get your five.

Ms. DELAURO. Or better, sometimes.

Mr. KINGSTON. You do. You get more than—

Ms. DELAURO. Very appreciative.

Mr. KINGSTON. Absolutely. It would not be the same for the administrator not to be able to see this show one more time. [Laughter.]

Mr. KINGSTON. And we will send you videos of next year.

Okay. We got the FTC coming out with proposals. This was December 2009. And it said that we should restrict advertising for peanut butter, jelly, soup, salads, yogurts, and most breakfast cereals, including Cheerios. Those would be not allowed to be advertised on teenage shows, which is about 50 percent of the—any show that has an audience of teenagers, it is about 50 percent, which includes most sports programs, Nick at Night, all the normal thing. It is not just Skins. But they would not be able to see a Cheerio commercial, because I guess it is damaging to teenagers. And that is part of the USDA—they are in the working group on that. Are you familiar with that?

Mr. CONCANNON. Yes, we are.

Mr. KINGSTON. But those—most of that food is still eligible for WIC. So I am confused that my children might not be able to watch

this stuff, but the same government who is saying this is bad for you to see is saying, "But we will feed it to the children on WIC."

Mr. CONCANNON. Well, I think there is a difference between what—the ads that we send to children and what their parents elect to buy on their behalf. And I think that—that is an inter-agency working group. We participate. The lead is the FTC. And I am also——

Mr. KINGSTON. Well, have you written to them and said, "That is a little hypocritical?"

Mr. CONCANNON. No, I have not.

Mr. KINGSTON. Don't you think it is hypocritical?

Mr. CONCANNON. No, I do not.

Mr. KINGSTON. You do not think it is hypocritical that you——

Mr. CONCANNON. I think it is——

Mr. KINGSTON [continuing]. Cannot let a Cheerios ad go to be seen by tender teenage ads [sic], but it is okay to feed them to WIC recipients?

Mr. CONCANNON. Yes. Some of the foods that they keep advertising—because I think it is pretty clear the reason they advertise on Saturday mornings so heavily is they get kids to head to the refrigerator.

That is part of our problem in the so-called food environment that—again, these kids are subjected to those ads. They go, they eat, or they go through the supermarket. I have seen little kids reaching for those sugar cereals——

Mr. KINGSTON. And it is the ads. The free food that they get from WIC wouldn't entice them to eat it, then. I just——

Mr. CONCANNON. By the way, Cheerios are approved in the FTC, and so is peanut butter.

Mr. KINGSTON. Not in the December 2009 proposal. It is not——

Mr. CONCANNON. It has been revised. It has been revised.

Mr. KINGSTON. It is a proposal. It hasn't been revised. It hasn't been written, but it is their proposal. The proposal that is on the table would ban Cheerios. It is the December 2009 proposal.

Mr. CONCANNON. Well, there is a later one than that that is going to be released shortly, and Cheerios are in, and so is peanut butter.

Mr. KINGSTON. I am excited about it. [Laughter.] Because now the Nick at Night kids and the WIC kids can eat a bowl of cereal together. It will be good bonding for all.

All right. Mr. Farr, I appreciate it.

#### REQUEST FOR ELIGIBILITY FORMS

Mr. FARR. You know, I think the problem is that none of us in this committee have ever had to fill out one of those forms.

When I was a Peace Corps volunteer, I lived in a culture of poverty where you do not have any of those services. And the difference is, when you do not have those services, when you have that baby die because you did not have the WIC program, what does the parent do? They come knock on your door and ask you for money to be able to bury it.

I was pretty shocked to be in a barrio, and in the first week two people came to my door with dead babies. I had never seen a dead baby. And people every single day were asking for handouts. That

is what your poverty—if you do not provide the infrastructure to take care of poverty, it ends up on your doorstep.

And one of the things I have also found is it is a lot harder to prove that you are poor than it is to prove that you are rich. And the problem in this country is we make people who do not know how to prove that they are poor have to do it. The terms we ask them, they do not even understand. So, I—you know, maybe it would help this committee if we could get copies of the forms that people have to fill out in order to be eligible for WIC and child nutrition programs. Maybe every member of the committee could fill it out, and we could just see—we would learn something.

[The information follows:]

## FREE AND REDUCED PRICE SCHOOL MEALS APPLICATION AND VERIFICATION FORMS

SCHOOL YEAR \_\_\_\_\_-\_\_\_\_\_

### INSTRUCTIONS FOR SCHOOL DISTRICTS

This packet contains prototype forms:

**Required** information that *must* be provided to households:

- Letter to Households
- Free and Reduced Price School Meals Application
- Notice to Households of Approval/Denial of Benefits<sup>1</sup> (notification is required if household is denied)

**Required** information for households selected for verification of eligibility information materials:

- Notification of Selection for Verification of Eligibility
- Letter of Verification Results

**Optional** application-related materials that *may* be provided to households:

- Sharing Information with Medicaid/SCHIP
- Sharing Information with Other Programs
- Notice to Households of Approval/Denial of Benefits<sup>1</sup> (notification is optional if household is approved)
- Notice of Direct Certification

The pages are designed to be printed on 8½" by 11" paper. Some pages may be printed front and back. You will need to identify the benefits that are offered in your school, such as afterschool snacks. The **[bold, bracketed fields]** indicate where you need to insert school district specific information. For example, you must include your district's no-charge telephone number for verification assistance on the verification materials. If these materials have not been modified to include your State's name for the Supplemental Nutrition Assistance Program (SNAP), formerly the Food Stamp Program, Temporary Assistance to Needy Families (TANF), State Children's Health Insurance Program (SCHIP), or, if applicable, to add Food Distribution Program on Indian Reservations (FDPIR), you should insert this information as appropriate. This prototype application package includes information regarding the exclusion of housing allowance for those in the Military Housing Privatization Initiative. If this is not pertinent to your school district, please modify as appropriate.

Your State agency may require you to submit your application package for approval. If you have questions, contact:

**[State agency address]**

<sup>1</sup>All households must be notified of their eligibility status. Households with children who are denied benefits must be given written notification of the denial. The notification must advise the household of the reason for the denial of benefits, the right to appeal, instruction on how to appeal, and a statement that the family may re-apply for free and reduced price meal benefits at any time during the school year. Households with children who are approved for free or reduced price benefits may be notified in writing or orally.

## [INSERT SCHOOL DISTRICT LETTERHEAD]

Dear Parent/Guardian:

Children need healthy meals to learn. **[Name of School]** offers healthy meals every school day. Breakfast costs **[\$]**; lunch costs **[\$]**. Your children may qualify for free meals or for reduced price meals. Reduced price is **[\$]** for breakfast and **[\$]** for lunch.

1. DO I NEED TO FILL OUT AN APPLICATION FOR EACH CHILD? No. Complete the application to apply for free or reduced price meals. *Use one Free and Reduced Price School Meals Application for all students in your household.* We cannot approve an application that is not complete, so be sure to fill out all required information. Return the completed application to: **[name, address, phone number]**.
2. WHO CAN GET FREE MEALS? All children in households receiving benefits from **[State SNAP]**, **[the Food Distribution Program on Indian Reservations]** or **[State TANF]**, can get free meals regardless of your income. Also, your children can get free meals if your household's gross income is within the free limits on the Federal Income Eligibility Guidelines.
3. CAN FOSTER CHILDREN GET FREE MEALS? Yes, foster children that are under the legal responsibility of a foster care agency or court, are eligible for free meals. Any foster child in the household is eligible for free meals regardless of income.
4. CAN HOMELESS, RUNAWAY, AND MIGRANT CHILDREN GET FREE MEALS? Yes, children who meet the definition of homeless, runaway, or migrant qualify for free meals. If you haven't been told your children will get free meals, please call or e-mail **[school, homeless liaison or migrant coordinator information]** to see if they qualify.
5. WHO CAN GET REDUCED PRICE MEALS? Your children can get low cost meals if your household income is within the reduced price limits on the Federal Eligibility Income Chart, shown on this application.
6. SHOULD I FILL OUT AN APPLICATION IF I RECEIVED A LETTER THIS SCHOOL YEAR SAYING MY CHILDREN ARE APPROVED FOR FREE MEALS? Please read the letter you got carefully and follow the instructions. Call the school at **[phone number]** if you have questions.
7. MY CHILD'S APPLICATION WAS APPROVED LAST YEAR. DO I NEED TO FILL OUT ANOTHER ONE? Yes. Your child's application is only good for that school year and for the first few days of this school year. You must send in a new application unless the school told you that your child is eligible for the new school year.
8. I GET WIC. CAN MY CHILD(REN) GET FREE MEALS? Children in households participating in WIC may be eligible for free or reduced price meals. Please fill out an application.
9. WILL THE INFORMATION I GIVE BE CHECKED? Yes and we may also ask you to send written proof.
10. IF I DON'T QUALIFY NOW, MAY I APPLY LATER? Yes, you may apply at any time during the school year. For example, children with a parent or guardian who becomes unemployed may become eligible for free and reduced price meals if the household income drops below the income limit.
11. WHAT IF I DISAGREE WITH THE SCHOOL'S DECISION ABOUT MY APPLICATION? You should talk to school officials. You also may ask for a hearing by calling or writing to: **[name, address, phone number, e-mail]**.

MAY I APPLY IF SOMEONE IN MY HOUSEHOLD IS NOT A U.S. CITIZEN? Yes. You or your child(ren) do not have to be U.S. citizens to qualify for free or reduced price meals.

12. WHO SHOULD I INCLUDE AS MEMBERS OF MY HOUSEHOLD? You must include all people living in your household, related or not (such as grandparents, other relatives, or friends) who share income and expenses. You must include yourself and all children living with you. If you live with other people who are economically independent (for example, people who you do not support, who do not share income with you or your children, and who pay a pro-rated share of expenses), do not include them.
13. WHAT IF MY INCOME IS NOT ALWAYS THE SAME? List the amount that you normally receive. For example, if you normally make \$1000 each month, but you missed some work last month and only made \$900, put down that you made \$1000 per month. If you normally get overtime, include it, but do not include it if you only work overtime sometimes. If you have lost a job or had your hours or wages reduced, use your current income.
14. WE ARE IN THE MILITARY. DO WE INCLUDE OUR HOUSING ALLOWANCE AS INCOME? If you get an off-base housing allowance, it must be included as income. However, if your housing is part of the Military Housing Privatization Initiative, do not include your housing allowance as income.
15. MY SPOUSE IS DEPLOYED TO A COMBAT ZONE. IS HER COMBAT PAY COUNTED AS INCOME? No, if the combat pay is received in addition to her basic pay because of her deployment and it wasn't received before she was deployed, combat pay is not counted as income. Contact your school for more information.
16. MY FAMILY NEEDS MORE HELP. ARE THERE OTHER PROGRAMS WE MIGHT APPLY FOR? To find out how to apply for **[State SNAP]** or other assistance benefits, contact your local assistance office or call **[State hotline number]**.

If you have other questions or need help, call **[phone number]**.

*Si necesita ayuda, por favor llame al teléfono: **[phone number]**.*

*Si vous voudriez d'aide, contactez nous au numero: **[phone number]**.*

Sincerely,

**[signature]**

## INSTRUCTIONS FOR APPLYING

*A HOUSEHOLD MEMBER IS ANY CHILD OR ADULT LIVING WITH YOU.*

IF YOUR HOUSEHOLD RECEIVES BENEFITS FROM [State SNAP], OR [State TANF] [OR THE FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS (FDPIR)], FOLLOW THESE INSTRUCTIONS:

**Part 1:** List all household members and the name of school for each child.

**Part 2:** List the case number for any household member (including adults) receiving [State SNAP] or [State TANF] or [FDPIR] benefits.

**Part 3:** Skip this part.

**Part 4:** Skip this part.

**Part 5:** Sign the form. The last four digits of a Social Security Number are **not** necessary.

**Part 6:** Answer this question if you choose to.

IF NO ONE IN YOUR HOUSEHOLD GETS [State SNAP] OR [State TANF] BENEFITS AND IF ANY CHILD IN YOUR HOUSEHOLD IS HOMELESS, A MIGRANT OR RUNAWAY, FOLLOW THESE INSTRUCTIONS:

**Part 1:** List all household members and the name of school for each child.

**Part 2:** Skip this part.

**Part 3:** If any child you are applying for is homeless, migrant, or a runaway check the appropriate box and call [your school, homeless liaison, migrant coordinator].

**Part 4:** Complete only if a child in your household isn't eligible under Part 3. See instructions for All Other Households.

**Part 5:** Sign the form. The last four digits of a Social Security Number are not necessary if you didn't need to fill in Part 4.

**Part 6:** Answer this question if you choose to.

IF YOU ARE APPLYING FOR A FOSTER CHILD, FOLLOW THESE INSTRUCTIONS:

**If all children in the household are foster children:**

**Part 1:** List all foster children and the school name for each child. Check the box indicating the child is a foster child.

**Part 2:** Skip this part.

**Part 3:** Skip this part.

**Part 4:** Skip this part.

**Part 5:** Sign the form. The last four digits of a Social Security Number are **not** necessary.

**Part 6:** Answer this question if you choose to.

**If some of the children in the household are foster children:**

**Part 1:** List all household members and the name of school for each child. For any person, including children, with no income, you must check the "No Income" box. Check the box if the child is a foster child.

**Part 2:** If the household does not have a case number, skip this part.

**Part 3:** If any child you are applying for is homeless, migrant, or a runaway check the appropriate box and call [your school, homeless liaison, migrant coordinator]. If not, skip this part.

**Part 4:** Follow these instructions to report total household income from this month or last month.

- **Box 1—Name:** List all household members with income.
- **Box 2—Gross Income and How Often It Was Received:** For each household member, list each type of income received for the month. You must tell us how often the money is received—weekly, every other week, twice a month or monthly. For earnings, be sure to list the **gross income**, not the take-home pay. Gross income is the amount earned *before* taxes and other deductions. You should be able to find it on your pay stub or your boss can tell you. For other income, list the amount each person got for the month from welfare, child support, alimony, pensions, retirement, Social Security, Supplemental Security Income (SSI), Veteran's benefits (VA benefits), and disability benefits. Under *All Other Income*, list Worker's Compensation, unemployment or strike benefits, regular contributions from people who do not live in your household, and any other income. Do not include income from SNAP, FDPIR, WIC, Federal education benefits and foster payments received by the family from the placing agency. For **ONLY** the self-employed, under *Earnings from Work*, report income after expenses. This is for your business, farm, or rental property. If you are in the Military Privatized Housing Initiative or get combat pay, do not include these allowances as income.



**Part 5:** Adult household member must sign the form and list the last four digits of their Social Security Number (or mark the box if s/he doesn't have one).

**Part 6:** Answer this question, if you choose.

ALL OTHER HOUSEHOLDS, INCLUDING WIC HOUSEHOLDS, FOLLOW THESE INSTRUCTIONS:
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**Part 1:** List all household members and the name of school for each child. For any person, including children, with no income, you must check the "No Income" box.

**Part 2:** If the household does not have a case number, skip this part.

**Part 3:** If any child you are applying for is homeless, migrant, or a runaway check the appropriate box and call **[your school, homeless liaison, migrant coordinator]**. If not, skip this part.

**Part 4:** Follow these instructions to report total household income from this month or last month.

- **Box 1—Name:** List all household members with income.
- **Box 2—Gross Income and How Often It Was Received:** For each household member, list each type of income received for the month. You must tell us how often the money is received—weekly, every other week, twice a month or monthly. For earnings, be sure to list the **gross income**, not the take-home pay. Gross income is the amount earned *before* taxes and other deductions. You should be able to find it on your pay stub or your boss can tell you. For other income, list the amount each person got for the month from welfare, child support, alimony, pensions, retirement, Social Security, Supplemental Security Income (SSI), Veteran's benefits (VA benefits), and disability benefits. Under *All Other Income*, list Worker's Compensation, unemployment or strike benefits, regular contributions from people who do not live in your household, and any other income. Do not include income from SNAP, FDPIR, WIC, Federal education benefits and foster payments received by the family from the placing agency. For ONLY the self-employed, under *Earnings from Work*, report income after expenses. This is for your business, farm, or rental property. Do not include income from SNAP, FDPIR, WIC or Federal education benefits. If you are in the Military Privatized Housing Initiative or get combat pay, do not include these allowances as income.

**Part 5:** Adult household member must sign the form and list the last four digits of their Social Security Number (or mark the box if s/he doesn't have one).

**Part 6:** Answer, this question if you choose.

[illegible]

<b>PART 5. SIGNATURE AND LAST FOUR DIGITS OF SOCIAL SECURITY NUMBER (ADULT MUST SIGN)</b>	
An adult household member must sign the application. If <b>Part 4 is completed</b> , the adult signing the form also must list the last four digits of his or her Social Security Number or mark the "I do not have a Social Security Number" box. (See Privacy Act Statement on the back of this page.)	
I certify (promise) that all information on this application is true and that all income is reported. I understand that the school will get Federal funds based on the information I give. I understand that school officials may verify (check) the information. I understand that if I purposely give false information, my children may lose meal benefits, and I may be prosecuted.	
Sign here: _____ Print name: _____	
Date: _____	
Address: _____ Phone Number: _____	
City: _____ State: _____ Zip Code: _____	
Last four digits of Social Security Number: * * * - * * - _ _ _ _ <input type="checkbox"/> I do not have a Social Security Number	
<b>PART 6. CHILDREN'S ETHNIC AND RACIAL IDENTITIES (OPTIONAL)</b>	
Choose one ethnicity: <input type="checkbox"/> Hispanic/Latino  <input type="checkbox"/> Not Hispanic/Latino	Choose one or more (regardless of ethnicity): <input type="checkbox"/> Asian <input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Black or African American  <input type="checkbox"/> White <input type="checkbox"/> Native Hawaiian or other Pacific Islander
<b>DO NOT FILL OUT THIS PART. THIS IS FOR SCHOOL USE ONLY.</b>	
Annual Income Conversion: Weekly x 52, Every 2 Weeks x 26, Twice A Month x 24 Monthly x 12	
Total Income: _____ Per: <input type="checkbox"/> Week, <input type="checkbox"/> Every 2 Weeks, <input type="checkbox"/> Twice A Month, <input type="checkbox"/> Month, <input type="checkbox"/> Year    Household size: _____	
Categorical Eligibility: ___ Date Withdrawn: ___ Eligibility: Free___ Reduced___ Denied___	
Reason: _____	
Temporary: Free___ Reduced___ Time Period: _____ (expires after ___ days)	
Determining Official's Signature: _____ Date: _____	
Confirming Official's Signature: _____ Date: _____	
Verifying Official's Signature: _____ Date: _____	

Your children may qualify for free or reduced price meals if your household income falls at or below the limits on this chart.

FEDERAL ELIGIBILITY INCOME CHART For School Year _____			
Household size	Yearly	Monthly	Weekly
1			
2			
3			
4			
5			
6			
7			
8			
Each additional person:			

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Privacy Act Statement: This explains how we will use the information you give us.

The Richard B. Russell National School Lunch Act requires the information on this application. You do not have to give the information, but if you do not, we cannot approve your child for free or reduced price meals. You must include the last four digits of the social security number of the adult household member who signs the application. The last four digits of the social security number is not required when you apply on behalf of a foster child or you list a Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF) Program or Food Distribution Program on Indian Reservations (FDPIR) case number or other FDPIR identifier for your child or when you indicate that the adult household member signing the application does not have a social security number. We will use your information to determine if your child is eligible for free or reduced price meals, and for administration and enforcement of the lunch and breakfast programs. We MAY share your eligibility information with education, health, and nutrition programs to help them evaluate, fund, or determine benefits for their programs, auditors for program reviews, and law enforcement officials to help them look into violations of program rules.

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Non-discrimination Statement: This explains what to do if you believe you have been treated unfairly. "In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer."

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## SHARING INFORMATION WITH MEDICAID/SCHIP

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Dear Parent/Guardian:

If your children get free or reduced price school meals, they may also be able to get free or low-cost health insurance through Medicaid or the State Children's Health Insurance Program (SCHIP). Children with health insurance are more likely to get regular health care and are less likely to miss school because of sickness.

Because health insurance is so important to children's well-being, *the law allows us to tell Medicaid and SCHIP that your children are eligible for free or reduced price meals, **unless you tell us not to.*** Medicaid and SCHIP only use the information to identify children who may be eligible for their programs. Program officials may contact you to offer to enroll your children. Filling out the Free and Reduced Price School Meals Application does not automatically enroll your children in health insurance.

If you do not want us to share your information with Medicaid or SCHIP, fill out the form below and send in (Sending in this form will not change whether your children get free or reduced price meals).

---

☐ **No! I DO NOT** want information from my Free and Reduced Price School Meals Application shared with Medicaid or the State Children's Health Insurance Program.

If you checked no, fill out the form below to ensure that your information is NOT shared for the child(ren) listed below:

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

For more information, you may call [name] at [phone] or e-mail at [e-mail address].

Return this form to: [address] by [date].

## SHARING INFORMATION WITH OTHER PROGRAMS

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Dear Parent/Guardian:

To save you time and effort, the information you gave on your Free and Reduced Price School Meals Application may be shared with other programs for which your children may qualify. For the following programs, we must have your permission to share your information. Sending in this form will not change whether your children get free or reduced price meals.

- 
- ☐ Yes! I **DO** want school officials to share information from my Free and Reduced Price School Meals Application with **[name of program specific to your school]**.
- ☐ Yes! I **DO** want school officials to share information from my Free and Reduced Price School Meals Application with **[name of program specific to your school]**.
- ☐ Yes! I **DO** want school officials to share information from my Free and Reduced Price School Meals Application with **[name of program specific to your school]**.

If you checked yes to any or all of the boxes above, fill out the form below to ensure that your information is shared for the child(ren) listed below. Your information will be shared only with the programs you checked.

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Child's Name: \_\_\_\_\_ School: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

For more information, you may call **[name]** at **[phone]** or e-mail at **[e-mail address]**.

Return this form to: **[address]** by **[date]**.

## WE MUST CHECK YOUR APPLICATION

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*You must send the information we need, or contact [name] by [date], or your child(ren) will stop getting free or reduced price meals.*

School: \_\_\_\_\_ Date: \_\_\_\_\_

Dear \_\_\_\_\_:

We are checking your Free and Reduced Price School Meals Application. Federal rules require that we do this to make sure only eligible children get free or reduced price meals. You must send us information to prove that **[name(s) of child(ren)][is/are]** eligible.

If possible, send copies, not original papers. If you do send originals, they will be sent back to you only if you ask.

1. IF YOU WERE RECEIVING BENEFITS FROM **[State SNAP]**, **[State TANF]** OR **[FDPIR]** WHEN YOU APPLIED FOR FREE OR REDUCED PRICE MEALS, OR AT ANY TIME SINCE THEN, SEND US A COPY OF ONE OF THESE:

- **[State SNAP]** or **[State TANF]** or **[FDPIR]** Certification Notice that shows dates of certification.
- Letter from **[State SNAP]** or **[State TANF]** or **[FDPIR]** office that shows dates of certification.
- Do not send your EBT card.

2. IF YOU GET THIS LETTER FOR A HOMELESS, MIGRANT, OR RUNAWAY CHILD, PLEASE CONTACT **[school, homeless liaison, or migrant coordinator]** FOR HELP.

3. IF THE CHILD IS A FOSTER CHILD:

Provide written documentation that verifies the child is the legal responsibility of the agency or court or provide the name and contact information for a person at the agency or court who can verify that the child is a foster child.

4. IF NO ONE IN YOUR HOUSEHOLD RECEIVES **[State SNAP]** or **[State TANF]** or **[FDPIR]** benefits:

Send this page along with papers that show the amount of money your household gets from each source of income. The papers you send must show the **name** of the person who received the income, the **date** it was received, **how much** was received, and **how often** it was received. **Send information to: [address]**

Acceptable papers include:

**JOB**s: Paycheck stub or pay envelope that shows the amount and how often pay is received; letter from employer stating gross wages and how often you are paid; or, if you work for yourself, business or farming papers, such as ledger or tax books.

**SOCIAL SECURITY, PENSIONS, OR RETIREMENT**: Social Security retirement benefit letter, statement of benefits received, or pension award notice.

**UNEMPLOYMENT, DISABILITY, OR WORKER'S COMP**: Notice of eligibility from State employment security office, check stub, or letter from the Worker's Compensation's office.

**WELFARE PAYMENTS**: Benefit letter from the **[State TANF]** office.

*CHILD SUPPORT OR ALIMONY:* Court decree, agreement, or copies of checks received.

*OTHER INCOME (SUCH AS RENTAL INCOME):* Information that shows the amount of income received, how often it is received, and the date received.

*NO INCOME:* A brief note explaining how you provide food, clothing, and housing for your household, and when you expect an income.

*MILITARY HOUSING PRIVATIZATION INITIATIVE:* Letter or rental contract showing that your housing is part of the Military Privatized Housing Initiative.

*TIMEFRAME OF ACCEPTABLE INCOME DOCUMENTATION:* Please submit proof of one month's income; you could use the month prior to application, the month you applied, or any month after that.

If you have questions or need help, please call **[name]** at **[phone number]**. The call is free. **[Toll free or reverse charge explanation]**. You may also e-mail us at **[e-mail address]**.

Sincerely,

**[signature]**

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**Privacy Act Statement:** The Richard B. Russell National School Lunch Act requires the information on this application. You do not have to give the information, but if you do not, we cannot approve your child for free or reduced price meals. We will use your information to determine if your child is eligible for free or reduced price meals, and for administration and enforcement of the lunch and breakfast programs.

Non-Discrimination Statement: This explains what to do if you believe you have been treated unfairly. "In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer."



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## WE HAVE CHECKED YOUR APPLICATION

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School: \_\_\_\_\_ Date: \_\_\_\_\_

Dear \_\_\_\_\_:

We checked the information you sent us to prove that **[name(s) of child(ren)]** are eligible for free or reduced price meals and have decided that:

- ☐ Your child(ren)'s eligibility has not changed.
- ☐ Starting **[date]**, your child(ren)'s eligibility for meals will be changed **from reduced price to free** because your income is within the free meal eligibility limits. Your child(ren) will receive meals at no cost.
- ☐ Starting **[date]**, your child(ren)'s eligibility for meals will be changed **from free to reduced price** because your income is over the limit. Reduced price meals cost **[\$]** for lunch and **[\$]** for breakfast.
- ☐ Starting **[date]**, **your child(ren) is/are no longer eligible** for free or reduced price meals for the following reason(s):
  - \_\_\_ Records show that no one in your household received **[State SNAP]** or **[State TANF]** benefits.
  - \_\_\_ Records show that the child(ren) is/are not homeless, runaway, or migrant.
  - \_\_\_ Your income is over the limit for free or reduced price meals.
  - \_\_\_ You did not provide: \_\_\_\_\_
  - \_\_\_ You did not respond to our request.

Meals cost **[\$]** for lunch and **[\$]** for breakfast. If your household income goes down or your household size goes up, you may apply again. If you were previously denied benefits because no one in the household received **[State SNAP]**, **[State TANF]** or **[FDPIR]** benefits, you may reapply based on income eligibility. If you did not provide proof of current eligibility, you will be asked to do so if you reapply.

If you disagree with this decision, you may discuss it with **[name]** at **[phone]**. You also have the right to a fair hearing. If you request a hearing by **[date]**, your child(ren) will continue to receive free or reduced price meals until the decision of the hearing official is made. You may request a hearing by calling or writing to: **[name]**, **[address]**, **[phone number]**, or **[e-mail]**.

Sincerely,

**[signature]**

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Non-Discrimination Statement: This explains what to do if you believe you have been treated unfairly. "In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer."

## NOTICE TO HOUSEHOLDS OF APPROVAL/DENIAL OF BENEFITS

---

Dear Parent/Guardian:

You applied for free or reduced-meals for the following child(ren);

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Your application was:

- ☐ Approved for free meals
- ☐ Approved for reduced price meals at \$ \_\_\_\_\_ for lunch, \$ \_\_\_\_\_ for breakfast, and \$ \_\_\_\_\_ for snacks
- ☐ Denied for the following reason(s):
- ☐ Income over the allowable amount
  - ☐ Incomplete application because \_\_\_\_\_
  - ☐ Other \_\_\_\_\_

If you do not agree with the decision, you may discuss it with [school official's name] at [phone number] or at [e-mail address]. If you wish to review the decision further, you have a right to a fair hearing. This can be done by calling or writing the following official:

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ E-MAIL \_\_\_\_\_

Sincerely,

[signature]

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Title

\_\_\_\_\_  
 Date

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Non-Discrimination Statement: This explains what to do if you believe you have been treated unfairly. "In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer."

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**NOTICE OF DIRECT CERTIFICATION**

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Dear Parent/Guardian:

We want to let you know that the child(ren) listed below will receive free lunches, breakfasts, and snacks at school because they receive **[State SNAP]** or **[State TANF]**.

Name of Child	Name of School

If there are other children in your household who aren't listed above, ***they also qualify for free meals.***

Please contact the school your child/children attend in the following situations:

- If there are other children in your household who are not listed above and you would like them to receive free meals at school
- You do not want your children to have free meals
- You have any additional questions

**[name]**

**[phone number]**

**[e-mail address]**

Sincerely,

**[signature]**

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Non-Discrimination Statement: This explains what to do if you believe you have been treated unfairly. "In accordance with Federal Law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability. To file a complaint of discrimination, write USDA, Director, Office of Adjudication, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call toll free (866) 632-9992 (Voice). Individuals who are hearing impaired or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339; or (800) 845-6136 (Spanish). USDA is an equal opportunity provider and employer."

# Application for WIC

FORM NO: 101E (5/10)

DATE APPLIED: \_\_\_\_\_  
 APPT DATE: \_\_\_\_\_



*Please complete both sides of this application.*

<b>Responsible Adult</b>	FIRST	MI	LAST	MAIDEN NAME (if any)	
<b>Physical Address</b>	STREET		CITY	COUNTY	STATE ZIP CODE
<b>Mailing Address (if different)</b>	STREET		CITY	COUNTY	STATE ZIP CODE
<b>Telephone</b>	HOME		WORK OR MESSAGE		

List all people who are applying for WIC services. Include due date of unborn children in space for name.  
 (Ethnicity, sex and race data are for statistical purposes only. They are not used to determine eligibility.)

## FOR WIC USE

LEGAL NAME			SEX	ETHNICITY	RACE (check all that apply)	ID NUMBERS F _____
FIRST NAME	MI	LAST NAME				
_____ Date of Birth _____			<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Not Hispanic/Latino	<input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Pacific Islander or Native Hawaiian <input type="checkbox"/> White	
_____ Date of Birth _____			<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Not Hispanic/Latino	<input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Pacific Islander or Native Hawaiian <input type="checkbox"/> White	
_____ Date of Birth _____			<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Not Hispanic/Latino	<input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Pacific Islander or Native Hawaiian <input type="checkbox"/> White	
_____ Date of Birth _____			<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Not Hispanic/Latino	<input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Pacific Islander or Native Hawaiian <input type="checkbox"/> White	
_____ Date of Birth _____			<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Not Hispanic/Latino	<input type="checkbox"/> American Indian/Alaska Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African American <input type="checkbox"/> Pacific Islander or Native Hawaiian <input type="checkbox"/> White	

**More on the back**

How many people are living in your household (include unborn child/ren)? \_\_\_\_\_  
 Is anyone in your household receiving Food Stamps, TANF, Medicaid or CHIP? ☐ no ☐ yes  
 Is anyone in your household a migrant worker? ☐ no ☐ yes  
 What is the highest grade you have completed in school? \_\_\_\_\_

**Please read the statements below and sign to indicate you understand and agree to follow these conditions if you and your children are determined eligible to participate in the Idaho WIC Program.**

- All information I have provided is correct and WIC staff may verify any of the information. I may be prosecuted under the law and have to pay back what I received if I have intentionally lied or withheld the truth.
- I can receive WIC benefits from only one WIC office at a time.
- I have the right to appeal eligibility decisions by requesting a fair hearing within 60 days.
- I consent to the taking of height and weight measures and a finger stick blood test to check iron status for myself or my child. These are used to establish nutritional need for the WIC program.
- I authorize the WIC Program to share the eligibility information (such as name, address and birth date) for myself and my children listed on this form with local, state and federal WIC programs.
  - This information is also available to the Idaho Department of Health and Welfare's Family and Children Services, Behavioral Health, and Welfare divisions who share a common client directory with WIC. The data is only used for the purpose of creating unique client ID numbers to prevent duplication.
  - This information may also be shared with the Idaho Department of Health and Welfare Medicaid and Food Stamp programs for the purpose of referral.
- I authorize the WIC program to share immunization status with the Immunization program for referral purposes.
- I authorize the WIC Program to use health data and eligibility information for receiving WIC services and for evaluating the effectiveness of the program, monitoring, and auditing the program. I release these agencies from any and all responsibility and liability concerning the release of information I have consented to be released.
- I may review my record and I have the right to revoke this consent in writing at any time.

X

\_\_\_\_\_  
Signature of Responsible Adult\_\_\_\_\_  
Date

*In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, or disability.*

*To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington DC, 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer.*

**THIS BOX IS FOR WIC STAFF USE ONLY**

<b>IDENTIFICATION</b> <input type="checkbox"/> visual <input type="checkbox"/> other _____	<b>INCOME ELIGIBLE</b> <input type="checkbox"/> TANF-MA-FS-CHIP <input type="checkbox"/> check stub <input type="checkbox"/> W-2 <input type="checkbox"/> unemployment <input type="checkbox"/> other _____	<b>INCOME SOURCE (employer)</b> 1. _____ \$ _____ 2. _____ \$ _____ 3. _____ \$ _____	<b>Amount</b> _____ _____ _____	<b>**</b> _____ _____ _____	<b>Subtotal</b> \$ _____ \$ _____ \$ _____
<b>**MONTHLY INCOME CONVERSION</b> Weekly _____ x 4.3 Bi-weekly (every 2 wks) _____ x 2.15 Semi-monthly (twice/mo) _____ x 2 Quarterly _____ ÷ 3 Hourly (Rate x hrs/wk) x 4.3		<b>Household size:</b> _____ <b>Monthly gross income \$</b> _____			
<b>RESIDENCE ELIG.</b> <input type="checkbox"/> driver license <input type="checkbox"/> utility bill <input type="checkbox"/> letter <input type="checkbox"/> other _____		Is there other income (overtime, tips, bonuses, child support, SSI) ? _____			
<b>PREGNANCY PROOF</b> <input type="checkbox"/> written		<b>Staff Signature and Date</b>			

## IMPLEMENTATION OF SODIUM REQUIREMENT

Mr. FARR. But I also want to ask you, because I am really concerned, and I think you are taking too slow a period to get the bad stuff out of these foods. Are—you indicated that you have got a new rule to get sodium out. But it is going to take 10 years to get it out?

Mr. CONCANNON. We have probably had more pushback on the sodium aspect of the dietary guidelines in our meal patterns than any other, because sodium is, throughout the—I personally never pick up a salt shaker, but I know I consume too much sodium because it is in so many—it is in some foods naturally, but it is in so many processed foods.

Mr. FARR. That is right.

Mr. CONCANNON. Yes.

Mr. FARR. So why can't we get it out? How about fructose? Are we going to get that out?

Mr. CONCANNON. I know we are—well, as examples, for USDA commodities, foods we buy, we are buying foods with less sodium, less sugar, you know, we are buying whole grains, we are buying cheese with less fat in it. We are, in the USDA Foods, definitely promoting healthier eating, as we are in this—

## DISTINCTION BETWEEN TYPES OF SUGAR

Mr. FARR. Do you make any distinction between sugars between regular, natural sugars, and being fructose sugars?

Mr. CONCANNON. No, we do not.

Mr. FARR. Well, chemically—

Mr. CONCANNON. Not to my knowledge.

Mr. FARR. Chemistry and medicine is certainly making that distinction, and saying it is a very—it is a big distinction. And maybe we ought to be addressing that. You are the nutrition people.

Mr. CONCANNON. Well, it is about fructose versus sugar?

Mr. FARR. By the way, while you are looking at that, just to—coming here, if I only had \$2.70—I just paid, in the Members cloak-room, \$1 for a cup of coffee, \$1 for a banana, and \$.50 for a box of raisins. That is \$2.50. I didn't get much of a meal.

Dr. ANAND. We actually control for all added sugars. If you add sugar—it will reduce added sugars.

Mr. FARR. Your added sugars?

Dr. ANAND. Right.

Mr. FARR. Is an added sugar different than a sugar?

Dr. ANAND. Yes, because there are some naturally occurring sugars.

Mr. FARR. Yes.

Dr. ANAND. So we are not talking about naturally occurring sugar. Only added sugar we are talking about. Reducing added sugar.

Mr. FARR. Okay.

Dr. ANAND. And it will apply to also the fructose syrup.

Mr. FARR. But are you making any distinction, or have you found in any of your research that there is a distinction between sugar and fructose sugar?

Dr. ANAND. I think there is no research that shows—

Mr. FARR. Okay. Well, that is interesting, because the——

Dr. ANAND. Right.

Mr. FARR [continuing]. University of California in San Francisco obesity center has been putting out a lot of information that there is a major problem with fructose sugars for obesity.

Why is it taking 10 years, though? Why did we have to take—on this nutrition—I read your testimony. You know, I am very excited about what is going on with the child nutrition program. But then I read that the implementation is going to be—we are going to be doing pilot projects, we are doing research, we are developing guidelines, we are improving standards. What immediately has happened?

#### IMPLEMENTATION OF NEW CNP REQUIREMENTS

Mr. CONCANNON. Well, immediately, again, we have put out these proposed standards that are, I think—well, I know we are hearing from schools and others, saying, among other things, “Your proposed reductions in sodium are too much for us to be able to handle.”

So, we know it is going to take a gradual—and we have heard this from food processors——

Mr. FARR. Well, I am not just—I guess what—my question is broader than just the ingredients. It is what is immediately—remember the health care bill? We immediately had about five things that happened? Pre-existing conditions were no longer there, you could keep your child on insurance beyond age 21. Is there anything in the child nutrition program immediately happened, or do you have——

Mr. CONCANNON. Oh, a number of things have already happened immediately. In fact, it was signed the 13th of December——

Mr. FARR. I was there.

Mr. CONCANNON [continuing]. We issued guidance in December. For example, all children in foster care—California has the largest group of kids in foster care in the country—are immediately directly certified for meals, so—for school meals. So they do not have to fill in paper.

We have also—we have been sending out information to summer feeding programs, saying, look, we have simplified, as a result of this bill, a single site—let us say the Boys and Girls Club, or Catholic Charities—can operate more than the limited number of sites that were previously available.

There are three or four pieces of guidance that are going out this current week. There were, literally, 100-plus elements in that bill. And we are implementing a number of them. We are picking them off, and many of them—again, immediately—for example, we told all 50 States in December, “You may now operate supper feeding programs.” Previously it was limited to 13.

So, we have done a number of things immediately on that bill.

#### OPTION TO SUBMIT QUESTIONS DUE TO VOTES

Mr. KINGSTON. The gentleman’s time has expired. We have been told there is a series of votes coming up, and I think as many as—Ms. Lummis, Mr. Nunnelee, do you want to submit your questions, or do you want to——

Ms. LUMMIS. I would like to submit.

Mr. KINGSTON. And Ms. Kaptur has not had an opportunity, so this gives you time. And then, Ms. DeLauro, I know, wants some more. And Mr. Bishop, do you want to submit your questions?

Mr. BISHOP. I don't want to submit.

Mr. KINGSTON. You don't want to?

Mr. BISHOP. No, I don't want to submit.

Mr. KINGSTON. If we—

Mr. BISHOP. If I have an opportunity to ask this—to follow up on Mr. Farr's question, I will.

Mr. KINGSTON. Okay. Well, we will just—we are going to go strictly five minutes, and maybe we can get at least a half a loaf. And if you don't want to submit, we can come back. It will probably be more like 12:45, though, before we can—so it is up to you guys.

Ms. Kaptur, five minutes.

Ms. KAPTUR. Thank you very much, Mr. Chairman, very much. I apologize for not being here earlier. And I thank you for the five minutes, and I thank my colleagues and Mr. Bishop and others.

#### IMPACT OF CUTS TO TEFAP AND CSFP

First of all, thank you for the great work you do. I come from a region with a great deal of unemployment, and long-term unemployment. Some statistics came out this morning from the Bureau of Labor statistics, indicating that unemployment had gone down. However, Gallup Poll has come out and said that, in fact, we are still stuck over 10 percent nationally. And that is the reality that we see in areas where the unemployment has lasted a very long time. And the situation is very, very dicey.

I do not know where our community would have been without USDA, quite honestly. My questions really relate to the temporary emergency food assistance program, and the commodity supplemental food program. Because over a third of what we actually are able to give to people at the local level has been comprised of USDA commodities. Almost 30 percent comes from the emergency food assistance program.

And I guess what I am worried about is, you know, people say, "Well, we have got to save money, so it is okay that General Electric doesn't pay taxes, and it is okay that ExxonMobil doesn't pay taxes, and it is okay that Wall Street pays an effective tax rate of 11 percent, the big banks that caused this mess," and yet businesses in my district have to pay at a 35 percent rate, but the way you solve the problem is not to make them pay their fair share. The way you solve the problem is to cut the food to the people who are absolutely at the edge.

I had an unbelievable experience the other day. I went in for a radio interview—I shared this with my colleagues—and the young woman who was interviewing me—we all know radio doesn't pay a whole lot for their staff—and we started talking about food. And she said, "I am sorry that I weigh as much as I do, but she said, "I really learned what it was to be poor." And she said, "I am filled up with useless calories, but now I really understand how people at the edge eat." And she broke down, right on the radio show. I was—she had come to our community from out of town.



So, my question to you is, in terms of the emergency assistance programs, the commodity supplemental food program, I am very worried about that one. Because, based on the cuts already this year, there will be several thousand less boxes delivered to Ohioans.

And also in the TEFAP program, one of my colleagues—not anybody who is here this morning—on this subcommittee said a few weeks ago, “Well, let United Way make up the difference.” I am telling you. In my community United Way cannot make up the difference, because United Way contributions have been reduced because of this lingering unemployment.

So, if anybody knows anything about revolution, we know that when you are well fed, you do not have as many revolutions. But I worry very much about people who are just truly at the edge. I got plates here from my community. One from a lady from Toledo, Ohio who says, “The food bank is a great service to me and my family. I work every day, but most of my income is spent on bills, which are not going down,” for electricity and gas, and all the rest, “which leaves very little money for me to purchase food for myself and my two daughters.” I could turn in thousands of these plates to the record.

And so, my question really is, based on what is happening this year with this cut being crammed into nine months or eight months, and then with the cut proposed for next year, what is going to happen to TEFAP and to CSFP in places like Ohio, where our food banks totally depend on them?

Mr. CONCANNON. Two sets of—they are very important questions.

The food banks across the country last year served an estimated—and the food pantries—those 200-plus food banks serve food pantries—I have been to food banks in Ohio, as well as other states represented here—they serve about 60,000 emergency pantries, churches, other places. And I have heard from one end of the country to the other, they are now serving people who in the past were their donors for those food banks, because of their changed circumstances.

So, last year, the USDA provided \$600 million in food to—through the TEFAP program—to food banks that went on to food pantries. About—

Ms. KAPTUR. And I would say, sir, just for the record—

Mr. CONCANNON. A little less—

Ms. KAPTUR. One of—we have two food banks. One of our major food banks, it charges nothing. The other food bank charges so much a pound. So everybody goes to the food bank that doesn’t charge anything first. And they had—they have over 500 sites that they move food to. And in 2009 and 2010 they saw the real increase of more than 36 percent in the amount of food they distributed from around 4 million to more than 6 million pounds of food. The need is just—please finish.

Mr. KINGSTON. Well, Ms. Kaptur, your time has expired. Ms. DeLauro?

And again, I am certainly willing to come back, I just—you know how these long vote series come, and things deteriorate. But Rosa?

Ms. DELAURO. Thank you, Mr. Chairman, and thank you for your comments, Ms. Kaptur.

Mr. KINGSTON. But, Mr. Under Secretary, we do want the answers to those questions.

[The information follows:]

The tentative caseload assigned for calendar year 2011 is 604,931, and current participation in the CSFP (through January 2011) is approximately 581,000 per month. The funding provided by HR 1 would support caseload of approximately 524,000, which is a reduction of approximately 81,000 from the caseload level in 2010 and the tentative assignment in 2011. Thus, States would have to immediately cut caseload and begin to reduce participation in the program. Participation is currently lower than assigned caseload. Therefore, at the HR1 level of funding approximately 57,000 participants (most likely elderly since 96 percent of all participants are elderly) would have to immediately be cut from the program. Furthermore, States would have substantial cuts in their caseload assignments, which would reduce their administrative funding since each State's level of administrative funding is calculated by multiplying caseload by an administrative grant per caseload slot. States would lose, on aggregate, approximately \$5.5 million in administrative funds with a caseload reduction of 81,000.

Mr. CONCANNON. Yes, yes.

#### SNAP ECONOMIC IMPACT

Ms. DELAURO. Let me just say with regard to the SNAP program, every \$5 generates \$9 in total economic activity, 80 percent of the benefits are redeemed within 2 weeks, 97 percent are spent within the month. SNAP recipients spend the increased benefits quickly, thereby being stimulative. I think that this is something that needs to be a part of the record.

#### SNAP PARTICIPANT CHARACTERISTICS

Fifty-six percent—these are characteristics of SNAP recipients—fifty-six percent of all participants were children under eighteen years of age, or elderly sixty or older. Gross income, 86 percent of the households below the federal poverty level; 42 percent of households at or below 50 percent of poverty; 18 percent of SNAP households had no income. They get, on average, \$134 a month. I defy the people who sit on this panel to live and have a food budget that is \$134 a month.

There are some in this institution who would want to make permanent the tax cuts for the richest two percent of the people in this country. They make—that would give them \$100,000 in a tax cut. The rest of their money—and they would take that and put it in an account and wouldn't spend any money, and that may be noble, but do you think that they are worried about whether they are going to buy vegetables or they are going to be able to feed their family? Or maybe they are just going to be able to go out to dinner every night, and enjoy that \$100,000 that they get in that tax cut?

And, quite frankly, the people who want to go in that direction, they have demonstrated that they don't give a whit about the deficit. It doesn't make any difference that there is a deficit that is caused by extending those tax cuts to people who make over \$250,000 a year. That is what we are talking about here.

## STANDARD UTILITY ALLOWANCE

Standard utility allowance, let me ask a question about that, because it has to do with Connecticut, and I will be very clear about that. Standard utility allowance for SNAP beneficiaries in Connecticut decreases today from \$662 to \$702 from \$720, a decrease for many in Connecticut. Gas prices have gone up significantly in the last several weeks. Food prices have also increased.

Can we get some kind of a commitment that this issue will be revisited? And will FNS be able to keep the standard utility allowance at \$720?

Mr. CONCANNON. We cannot. I have to say on the standard utility allowance we have extended it several times. It does expire as of April 1st. But the most reduction in food stamp benefits in any state in the country cannot exceed \$20 per month. We have extended it several times. I have been told unequivocally—

Ms. DELAURO. We can't do it.

Mr. CONCANNON. It is off—yes.

Ms. DELAURO. Just wanted to add one comment here, and I will yield time.

The average gross monthly income of food stamp beneficiaries is \$711. Their average net monthly income is \$329. We want them to bring their W-2 forms. I submit to you that we ask GE to bring its forms and tell us how they have managed to pay zero in taxes to the United States of America. And they ship their jobs overseas, and they take their technology and take it overseas. And we do not hold them accountable for anything. But let us make sure that anyone who gets \$134, that they may be buying the right thing or the wrong thing for their families. Who are we? Who are we in this great nation?

Mr. KINGSTON. Mr. Bishop?

Mr. BISHOP. I think I am going to end with Ms. DeLauro's—

Mr. KINGSTON. Impassioned.

Mr. BISHOP [continuing]. Impassioned statement.

Mr. KINGSTON. Statement. Well, we have about two minutes. And what I thought I would do—okay, go ahead, Ms. Kaptur.

Ms. KAPTUR. Yes. Mr. Chairman, I just wondered if they would be able to respond to the questions I asked on TEFAP and CSFP for the—in the remaining time.

Mr. KINGSTON. Yes.

Ms. KAPTUR. Thank you, sir.

Mr. KINGSTON. And also, though, I wanted to yield 20 seconds to the administrator, if you want to say anything. This might be your last time on testimony. You can tell us to go to hell, if you want. [Laughter.] But I want to give you that—Under Secretary said not a good idea. Not until the bill is passed. [Laughter.]

## TEFAP ELIGIBILITY

Ms. DELAURO. TEFAP, by the way, goes to people who are not eligible for food stamps. Is that correct?

Mr. CONCANNON. No. Actually, TEFAP can—is pretty broad eligibility.

Ms. DELAURO. Okay.

Mr. CONCANNON. It goes to both—there is a major story today in the paper about working Americans having to go to food banks to get through the month. So people are struggling at all these income levels.

But to your TEFAP question, the budget proposes \$248 million in TEFAP in our standard allocation to them. What I cannot tell you at this point is how much market support—because more than half of that \$600 million last year came from purchases over the course of the year for market support in dairy or other parts of the farm economy that were producing, and the USDA bought commodities and they went out into the food bank system. I do not know what those numbers will be, because we have to see how the ag economy fares over the course of the year.

Ms. KAPTUR. Well, we know it is more expensive.

Mr. CONCANNON. I am sure it is—I just don't know—

Ms. KAPTUR. Excuse me, sir. We know it is more expensive. Food prices are skyrocketing.

Mr. CONCANNON. Going up.

Mr. KINGSTON. We have our three-minute warning.

Ms. Paradis, do you want to say anything? We don't want to give you this—

Ms. PARADIS. You are very kind, Mr. Chairman. Thank you. I would like to say what an honor and a privilege it has been to serve the American people for 31 years, both at the Department and at the House Agriculture Committee.

Mr. KINGSTON. It has been an honor for us to work with someone of your caliber. We do not always agree, that is not what we came to town to do. But we are always in agreement that this is the greatest country in the world, we need to move forward, and we need to share our vision.

And so, it is just great that people like you are willing to spend 31 years in service to the U.S. Government. And with that, let us give you a standing ovation.

Ms. PARADIS. Oh, thank you.

Mr. KINGSTON. And, Mr. Concannon, you can live one more year through this stuff. [Laughter.]

Mr. KINGSTON. And with that, the committee stands adjourned.

Questions Submitted by  
Mr. Kingston

ANY SAVINGS PROPOSED IN FY 2012?

Mr. Kingston: There is bi-partisan support for providing a short-term food safety net to low-income Americans in greatest need and we greatly appreciate the valuable services provided by your agencies. However, the cost of these programs continues to sky-rocket. Granted, there is a strong correlation between the participation in these programs and the current economy, but we must figure out a way to control costs. In recent months, both parties have discussed the need to look at every federal program, including the cost of Medicaid, Medicare and social security.

This is our tenth hearing so far to review the FY 2012 President's Budget and we have one more next week. With the possible exception of the Commodity Futures Trading Commission, each mission area and the Food and Drug Administration has proposed some offsetting reductions to help pay for requested increases.

While this mission area's budget accounts for exactly 75 percent of this bill's FY 2012 request, I do not see any serious attempts to contain spending. In a review of the FNCS mission area, I have found only four proposed decreases even though your testimony talks about USDA's "difficult cuts to important programs to reduce the deficit." Of your four proposed cuts, I see \$1 million for the School Garden Plot; a \$10.5 million reduction for a project to Social Security data in the SNAP program; and \$6 million for TEFAP Infrastructure Grants that were supposed to be available for only one year in the first place.

Can you explain to the Subcommittee how your USDA mission area - *probably one of the largest in the federal government* - is doing to find savings or reduce costs beyond these four meager proposals?

Response: It is worthwhile to note that Federal nutrition programs administered by USDA are already providing substantial savings to the American taxpayer. Last year, three significant reductions in nutrition spending were enacted by Congress. Section 203 of P.L. 111-226 and section 442 of P.L. 111-296 reduced future spending for the Supplemental Nutrition Assistance Program (SNAP) by roughly \$11.9 and \$2.5 billion over ten years, respectively, according to the Congressional Budget Office. Additionally, section 241 of P.L. 111-296 included \$1.3 billion in savings from the nutrition education component of SNAP. USDA's ongoing responsibilities to implement this provision in accordance with the law will ensure that these savings are realized. Thus, SNAP spending was reduced by \$11.9 billion in addition to the SNAP cuts that were used as offsets for Child Nutrition reauthorization. Finally, it should be noted that SNAP spending will automatically decrease as the economy improves and employment increases.

The budget request for the nutrition assistance programs reflects the difficult circumstances that we face, but also the critical importance and proven effectiveness of these programs.

As the Secretary noted, USDA's budget request is designed to properly manage deficit reduction, while preserving the values that matter to Americans by focusing limited resources on programs where we can achieve the greatest impact. It promotes good government and streamlines agency

operations in a host of programs, proposes to reduce or terminate selected programs, and fulfills the President's pledge to completely eliminate earmarks.

At the same time, there are still many families in need in this recovering economy. Unemployment has fallen substantially from its peak in 2009, but remains unacceptably high at 8.9 percent as of February 2011. The poverty rate in 2009 was 14.3 percent, the highest rate since 1994, and reflecting the largest number of people in poverty in the 51 years for which poverty estimates are available. Demand for the nutrition assistance programs remains high, with over 44 million people receiving SNAP benefits - 21 million of them children - and participation in the school meals programs remains at near-record levels, with about 32 million children receiving a meal through the National School Lunch Program on an average school day, and two out of three served free or at a reduced price.

These sobering statistics underscore the fact that these nutrition assistance programs have never been more important to our Nation. Our budget reflects that reality, fully funding the expected requirements for the Department's three major nutrition assistance programs - WIC, the National School Lunch Program, and SNAP. The Budget makes targeted investments to improve the effectiveness of these programs in reaching eligible people, and promoting healthy diets.

#### NUTRITION ASSISTANCE AND EDUCATION

Mr. Kingston: Please provide a list of all Federal Programs that provide nutrition assistance and nutrition education to the public as well as the Agency providing those services and their respective budgetary resources for FY 2010 and estimated FY 2011 and estimated 2012.

Response: The information is provided for the record.

[The information follows:]

Federal Nutrition Assistance Programs				
Agency	Program	Estimated Obligations (Millions)		
		FY 2010 Actual	FY 2011 Estimate	FY 2012 Estimate
USDA FNS	Child Nutrition Programs			
	School Meals	\$13,847	\$14,754	\$15,649
	Child and Adult Care Food Program	2,583	2,693	2,818
	Summer Food Service Program	374	376	401
	WIC Program	7,245	7,659	7,571
	Supplemental Nutrition Assistance Program (SNAP)	68,605	75,835	77,776
	Food Distribution Program on Indian Reservations (FDPIR)	114	97	103
	Nutrition Assistance for Puerto Rico (NAP)	2,001	2,001	2,001
	American Samoa	6	8	8
	Commonwealth of the Northern Mariana Islands (CNMI)	12	12	12
	Community Food Projects	5	5	5
	Commodity Supplemental Food Program (CSFP)	182	193	177
	Farmers' Market Nutrition Program	22	20	20
	Seniors Farmers' Market Nutrition Program	22	21	21
	The Emergency Food Assistance Program (TEFAP)	298	297	299
	Pacific Island and Disaster Assistance	1	1	1
	Center for Nutrition Policy and Promotion	7	7	7
	Total, USDA FNS	95,324	103,979	106,869
DHHS AoA	Congregate Nutrition Services for the elderly	441	441	441
	Home-Delivered Nutrition Services for the elderly	218	218	218
	Nutrition Services Incentive Program for the elderly	158	161	161
	Native American Nutrition and Supportive Services for the elderly	28	28	28
	Total, DHHS AoA	845	848	848
DHS FEMA	Emergency Food and Shelter	200	200	100
	TOTAL	\$96,369	\$105,027	\$107,817

## NUTRITION ASSISTANCE PROGRAM

Mr. Kingston: How do the 18 or more nutrition assistance programs across the Federal Government coordinate activities and seek the greatest efficiency in ensuring that the most resources possible goes towards the participants and less on administrative overhead and potential duplication of efforts? Can this coordination be improved to increase efficiency and/or reduce costs?

Response: While the Department seeks to support the effective administration of each program individually, many of our administrative efforts are designed to improve coordination across programs and with other Federal agencies to achieve shared goals and outcomes as efficiently as possible. This includes promoting policy and operational changes that streamline application and certification processes; enforcing rules that prevent simultaneous participation in programs with similar benefits or target audiences; and reviewing and monitoring program operations to minimize waste and error.

For example, we are promoting wider use of direct certification, which uses certification information from the Supplemental Nutrition Assistance Program (SNAP) and other means-tested programs to enable low-income children to receive free school meals without their families having to complete - and schools having to process - a paper application, increasing administrative efficiency and reducing burden for families. The Healthy, Hunger-Free Kids Act of 2010 authorized and funded a major demonstration project to test the effectiveness of direct certification using Medicaid enrollment data in simplifying access to school meals.

Similarly, USDA seeks to coordinate with other Federal agencies and departments to improve efficiency and effectiveness. For example, we are working with the Department of Health and Human Services agencies on reform of the advanced planning document process, Children's Health Insurance Program eligibility, nutrition education and programs through the First Lady's *Let's Move!* Campaign and development of a model joint application for SNAP and Medicaid. These kinds of initiatives help improve consistency between Federal programs and maximize the impact of the Federal investment in these programs.

Finally, FNS has seen a significant reduction in its workforce over the decades at the same time that it has continued to oversee a significant budget and has taken on new regulatory responsibilities, many of which are the result of congressional mandates. Coordination of activities to ensure an efficient allocation of resources and reduction of administrative overhead is not just a goal that we strive towards, it is also a necessity.

#### OPENING UP ELIGIBILITY FOR FOOD NUTRITION PROGRAMS

Mr. Kingston: As your testimony points out, the nutrition assistance programs are designed to respond "...to the needs of the hardest-hit households", especially during this economic downturn. I am concerned that USDA is expanding eligibility well beyond those hardest hit or beyond their intended audiences. For example, the WIC program is designed to serve those Women, Infants and Children who have incomes "at or below 185 percent of the U.S. Poverty Income Guidelines." However, it appears that USDA is making wider use of direct certification or categorical eligibility for many or most nutrition assistance programs.

If this is the case, is it true that many of the participants in nutrition assistance programs could gain eligibility at 300 percent or less of the poverty level?

Response: Today, in accordance with the Food and Nutrition Act and Federal regulations related to categorical eligibility, and State Temporary Assistance to Needy Families (TANF) programs that have been implemented, a household cannot gain eligibility for the Supplemental Nutrition Assistance Program (SNAP) if it has gross income above 200 percent of the Federal Poverty Guidelines (FPG).

Forty-two States have implemented a policy option called broad-based categorical eligibility (BBCE) that allows most households to be categorically eligible for SNAP if they receive a TANF benefit or service. Under this policy, the TANF program used to confer categorical eligibility limits household gross income to no more than 200 percent of the FPG. Households must meet the TANF program's gross income limit in order to be categorically eligible for SNAP. Most States use TANF programs that have



gross income limits below 185 percent. Only 11 States use TANF programs that have a gross income limit of 200 percent. While a household may be eligible for SNAP at 200 percent of the FPG, few will realize a meaningful benefit. Households must still have a net income that qualifies them for any benefits.

BBCE has not led to higher-income households receiving SNAP benefits. In FY 2009 when 29 States had implemented BBCE, only 2.3 percent of SNAP participants lived in households that exceeded the Federal SNAP income limits (130 percent of FPG gross income, 100 percent of FPG net income). Less than one percent of total benefits were received by these households.

Regarding the WIC Program, the latest data, from 2008, shows that only about 0.4 percent of participants have reported income greater than 250 percent of the Federal poverty level as a result of adjunctive eligibility, whereby a participant in another means-tested program is automatically eligible for WIC. Only seven States have Medicaid (or CHIP-funded Medicaid) income eligibility limits up to 300 percent of poverty, so only WIC participants from those States could potentially have income greater than 250 percent of poverty and still qualify for the program through adjunctive eligibility. Those States include: Hawaii, Iowa, Maryland, New Hampshire, Rhode Island, Wisconsin and the District of Columbia.

Mr. Kingston: What steps has the Department taken to make sure that the WIC program is focusing its resources on serving only those nutritionally at-risk low income mothers and children that the program was designed to serve - i.e., those with incomes of 185 percent of the Federal Poverty Level or lower?

Response: All WIC State agencies require documentation of income, except as permitted by WIC legislation and regulations. FNS management evaluations of State agencies include on-site reviews of local agency certification procedures to ensure that the income documentation requirements of the regulations are in fact being enforced.

To be income eligible for the WIC Program, a categorically eligible individual (pregnant, postpartum or breastfeeding woman, or an infant or child up to age 5) must: (1) have a family income level that is at or below 185 percent of the poverty income guidelines; or, (2) be determined automatically income eligible based on the individual's, or certain family member's, eligibility for participation in the SNAP, Temporary Assistance for Needy Families, or the Medicaid Programs. Generally, gross income must be used when assessing income eligibility, except where certain benefits or payments are excluded by law.

Mr. Kingston: Can people with household incomes higher than 185 percent of the Federal Poverty Level come into the WIC program through Medicaid adjunctive eligibility without income verification and what administrative actions can the Department take to make sure only those Medicaid recipients with incomes below 185 percent FPL are enrolled in WIC?

If so, can you confirm that a four person family could qualify for USDA's food nutrition programs with an income of \$67,050?

Would support for families with these income levels meet the intent of the program?

Response: Through Public Law 105-33, Congress provided States the option to expand their Medicaid Programs using eligibility guidelines above WIC's income guidelines of 185 percent of the Federal Poverty Guidelines. Consequently, and in an effort to simplify the WIC application process, Congress amended WIC's authorizing legislation to allow individuals participating in, or certified for, Medicaid, Temporary Assistance for Needy Families (TANF), or Food Stamps (now known as the Supplemental Nutrition Assistance Program (SNAP)) to be deemed "adjunctively" income eligible to receive WIC benefits without requiring a more lengthy income eligibility assessment. WIC State agencies do require applicants to provide documentation of their eligibility for the program that makes them income eligible (Medicaid, SNAP, or TANF).

The current maximum household income for WIC eligibility is \$40,793 for a family of four. In accordance with current law, effective July 1, 2011 through June 30, 2012, this amount will be adjusted to account for increases in the cost of living and increase to \$41,348. The Child Nutrition Act of 1966, as amended, provides WIC State agencies the option to implement the revised income eligibility guidelines concurrently with the implementation of annual income eligibility guidelines under the Medicaid Program. Individual States have the option to establish their own Medicaid income eligibility guidelines.

The Medicaid income standard for children up to age 6 is 133 percent of the Federal Poverty Level (FPL), but States may be approved in certain circumstances to use higher income standards (for example, demonstration waivers are authorized under Section 1115 of the Social Security Act). If a State agency is approved under Medicaid to use a standard that is 300 percent of the FPL, it is possible a family of four with an annual income of \$67,050 could be deemed adjunctively income eligible for WIC. Making WIC benefits available for such families would be in compliance with the law.

#### ECONOMIC BENEFITS OF SNAP

Mr. Kingston: USDA has made the following statement with regard to SNAP benefits: "Research shows that every \$5 in new SNAP benefits generates as much as \$9.00 in economic activity." Please provide the citation supporting this claim and provide a copy of the research documents for the record.

Does the Department believe that absent increased spending on SNAP benefits that this multiplier or level of economic activity generated from SNAP would not exist elsewhere?

Can one argue that the increased economic activity associated with SNAP benefits is also an added cost to economy to execute this program?

Response: The multiplier is determined by measuring heightened economic activity as a result of an increase in SNAP benefits. The model traces not only an increase in food spending but also includes increases in spending in other economic sectors that result when some of the SNAP increase substitutes for cash food expenditures.

One can argue that the increased economic activity associated with SNAP benefits is also an added cost to the economy. The author (of the report cited) traces situations where the multiplier impact would be smaller. For example, the stimulus could lead to rising real interest rates thus reducing

investments. However, any economic activity aimed at stimulating the economy would have had the same result. During the recent recession interest, interest rates remained low and its affect on the multiplier would have been minimal.

See the following report for additional detail: Hanson, Kenneth. *The Food Assistance National Input-Output Multiplier (FANIOM) Model and Stimulus Effects of SNAP*. ERR-103. U.S. Department of Agriculture, Economic Research Service. October 2010, available on the web at <http://www.ers.usda.gov/Publications/ERR103/ERR103.pdf>. A copy of the report is enclosed.

[The information follows:]

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## **The Food Assistance National Input-Output Multiplier (FANIOM) Model and Stimulus Effects of SNAP**

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### **Abstract**

USDA's Economic Research Service uses the Food Assistance National Input-Output Multiplier (FANIOM) model to represent and measure linkages between USDA's domestic food assistance programs, agriculture, and the U.S. economy. This report describes the data sources and the underlying assumptions and structure of the FANIOM model and illustrates its use to estimate the multiplier effects from benefits issued under the Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program). During an economic downturn, an increase in SNAP benefits provides a fiscal stimulus to the economy through a multiplier process. The report also examines the different types of multipliers for different economic variables that are estimated by input-output multiplier and macroeconomic models and considers alternative estimates of the jobs impact. FANIOM's GDP multiplier of 1.79 for SNAP benefits is comparable with multipliers from some macroeconomic models.

**Keywords:** Automatic Stabilizer, fiscal stimulus, multipliers, jobs impact, Input-Output Multiplier Model, Social Accounting Matrix (SAM) multiplier model, Supplemental Nutrition Assistance Program (SNAP), Food Stamp Program.

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## Summary

USDA's Economic Research Service uses the Food Assistance National Input-Output Multiplier (FANIOM) model to represent and measure linkages between USDA's domestic food assistance programs, agriculture, and the U.S. economy. This report describes the data sources and the underlying assumptions and structure of the FANIOM model and illustrates its use to estimate the multiplier effects from benefits issued under the Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program).

### What Is the Issue?

An increase in SNAP benefits provides a fiscal stimulus to the economy during an economic downturn. When resources are underemployed, the increase in SNAP benefits starts a multiplier process in which inter-industry transactions and induced consumption effects lead to an economic impact that is greater than the initial stimulus. An input-output multiplier (IOM) model, such as FANIOM, tracks and measures this multiplier process.

IOM and macroeconomic models have been used for assessing the multiplier effects from government expenditures authorized under the American Recovery and Reinvestment Act of 2009 (ARRA), a Federal response to the recession that began in 2008. There is potential for confusion and misinterpretation of reported multiplier effects from different models. This report clarifies differences in model assumptions and multipliers. It examines the different types of multipliers for different economic variables that are estimated by IOM and macroeconomic models, and considers alternative estimates of the jobs impact.

### What Did the Study Find?

FANIOM provides a framework for calculating different types of multipliers for different variables at the national level. Multipliers are calculated for production, GDP, and employment, and they are adjusted to domestic market effects by netting out the share of new demand met by imports. A type I multiplier includes the direct and indirect effects from a fiscal stimulus, while a type II multiplier also includes the induced effects from the labor income and the type III multiplier also includes the induced effects from capital income.

The type III GDP multiplier is the appropriate multiplier for assessing the impact of government expenditures on economic activity (GDP and production) during an economic downturn. The type I employment multiplier (with import adjustment) is the appropriate multiplier for assessing the jobs impact from government expenditures. The jobs impacts from the FANIOM model for the type II and type III multipliers are consistent with other input-output multiplier models, but higher than estimates from macroeconomic models and from empirical analysis of data on the quarter-to-quarter change in employment relative to a change in GDP.

The FANIOM analysis of SNAP benefits as a fiscal stimulus finds that:

- An increase of \$1 billion in SNAP expenditures is estimated to increase economic activity (GDP) by \$1.79 billion. In other words, every \$5 in new SNAP benefits generates as much as \$9 of economic activity. This multiplier estimate replaces a similar but older estimate of \$1.84 billion reported in Hanson and Golan (2002).
- The jobs impact estimates from FANIOM range from 8,900 to 17,900 full-time-equivalent jobs plus self-employed for a \$1-billion increase in SNAP benefits. The preferred jobs impact estimates are the 8,900 full-time equivalent jobs plus self-employed or the 9,800 full-time and part-time jobs plus self-employed from \$1 billion of SNAP benefits (type I multiplier).
- Imports reduce the impact of the multiplier effects on the domestic economy by about 12 percent.

#### **How Was the Study Conducted?**

At the core of the FANIOM model are data from the U.S. Bureau of Economic Analysis (BEA), Benchmark Input-Output Accounts for 2002. Data from BEA National Income and Product Accounts are used to specify the induced effects from household income (labor and capital). Employment data from the U.S. Bureau of Labor Statistics, U.S. Bureau of Economic Analysis, and U.S. Department of Agriculture are used in estimating the jobs impact. The GAMS software was used to calculate the FANIOM multipliers.

## Introduction

USDA's Economic Research Service uses the Food Assistance National Input-Output Multiplier (FANIOM) model to represent and measure linkages between USDA's domestic food assistance programs, agriculture, and the U.S. economy. This report describes the data sources and the underlying assumptions and structure of the FANIOM model and illustrates its use to estimate the multiplier effects from benefits issued under the Supplemental Nutrition Assistance Program (SNAP, formerly the Food Stamp Program). The report also examines the different types of multipliers for different economic variables that are estimated by input-output multiplier (IOM) and macroeconomic models and considers alternative estimates of the jobs impact.

An increase in SNAP benefits provides a fiscal stimulus to the economy during an economic downturn. When resources are underemployed, the increase in SNAP benefits starts a multiplier process in which inter-industry transactions and induced consumption effects lead to an economic impact that is greater than the initial stimulus. An IOM model, such as FANIOM, tracks and measures this multiplier process.

IOM and macroeconomic models have been used for assessing the multiplier effects from government expenditures authorized under the American Recovery and Reinvestment Act of 2009 (ARRA), a Federal response to the 2008 recession. There is potential for confusion and misinterpretation of reported multiplier effects from different models. Confusion can occur in regard to different types of multipliers and multipliers for different economic variables. Furthermore, different assumptions underlying IOM models and macroeconomic models can lead to multiplier effects that can be equivalent or widely different. The comparison and interpretation of model results can be difficult. This report clarifies these differences in model assumptions and multipliers.

Chapter 2 describes the FANIOM model and how it can be used to analyze the multiplier effects from an increase in SNAP benefits (government expenditure). Chapter 3 describes the different economic variables for which multipliers are calculated, describes the different types of multipliers, and calculates them for SNAP benefits. Chapter 4 compares the multiplier effects from an IOM model with those from several macroeconomic models and discusses some issues in reconciling the jobs impact estimates between these two types of models. Chapter 5 describes the conditions associated with an economic downturn that enable government expenditures to work as a fiscal stimulus, and examines the limitations in using an IOM model for analyzing the multiplier effects from government expenditures as a fiscal stimulus.



## An Input-Output Multiplier (IOM) Model

Different economic models can be used for multiplier analysis of government expenditures (see box, “Historical Digression on the Roots of Multiplier Models”). While this report emphasizes the use of an IOM model, it extends the model to be equivalent to a social accounting matrix (SAM) multiplier model and compares the multiplier effects from an IOM model with those from macroeconomic models.

## Food Assistance National Input-Output Multiplier (FANIOM) Model

USDA-ERS developed the Food Assistance National Input-Output Multiplier (FANIOM) model to assess the economywide and sector effects of U.S. domestic food assistance programs. While the FANIOM model described in this report is tailored to analyze the multiplier effects of SNAP benefits at the national level, it can also be used to analyze the effects of other exogenous changes at the national level.<sup>1</sup>

The FANIOM model is based on two primary sources of data: 2002 Benchmark Input-Output Accounts and National Income and Product Accounts (NIPA). The U.S. Bureau of Economic Analysis (BEA) provides both sets of data. Annual NIPA data are used in the model to specify the income flows from industry to households and from households to consumer expenditures, which involve specification of various tax and savings rates that are not included in the input-output accounts. Merging NIPA data with the input-output accounts creates a Social Accounting Matrix (SAM) and allows the IOM model to calculate the induced effects and estimate the equivalent of a SAM multiplier. Calculation of the induced effects is discussed in context of the multiplier types.

The FANIOM model also involves data on employment (or jobs) by industry. Various measures of employment are included in the model's database. These include the number of full-time plus part-time jobs (FTPT-jobs), full-time equivalent jobs (FTE-jobs), production workers (prod-jobs), and self-employed (self-employed). (See appendix 1 for details about the sources of employment data.) Combinations of these employment measures can be used. For analysis related to agriculture, it is important to include the self-employed since they make up a large share of the total labor force in the industry and they can adjust their hours of work on the farm. The jobs impact measures in this report are the FTE-jobs plus self-employed, and the FTPT-jobs plus self-employed.

The Benchmark Input-Output Accounts used by the FANIOM model are annual data prepared at 5-year intervals, based on data from the Economic Census (Stewart et al., 2007). The most recent benchmark account is for 2002, with 426 industries producing 428 commodities (or goods and services), with many industries and commodities defined at the 6-digit NAICS (*North American Industry Classification System*) level. The number of commodities closely corresponds to the number of industries (groups of firms that produce similar commodities). The term “sector” is sometimes used as a proxy for commodities and industries, and the term “goods and

<sup>1</sup>Hanson and Oliveira (2009) used the model to examine the impact of WIC on agriculture, Hanson (2003) used an earlier version of the model to examine the impact of the school meal programs on agriculture, and Hanson and Golan (2002) used an earlier version of the model to assess the multiplier effects of food stamps.

### Historical Digression on the Roots of Multiplier Models

The description and derivation of the multiplier as an economic process has its roots in the development of several economic models. First, in response to the Great Depression (1929-1933), Kahn (1931) and Keynes (1936) developed the aggregate/macroeconomic multiplier to explain how government interventions during a recession can stimulate the economy. An extensive early literature discussing the aggregate multiplier process includes Samuelson's (1940) "Theory of Pump-Priming" and Machlup's (1939) discussion of its temporal dimension. Following the Great Depression, measurement of national income and the effect of fiscal policy on it were of keen interest (Clark, 1938; Samuelson, 1942; Hansen, 1951).

An aggregate multiplier process is embedded in a macroeconomic forecasting model to some extent, depending on the underlying assumptions about agent behavior and market adjustment to disequilibrium between supply and demand. The first macro-econometric models were Keynesian and were influenced by this early literature on income determination and the multiplier process. These models were used to analyze fiscal stimulus packages during the 1960s. During the 1970s, they continued to be used but were criticized for the treatment of market adjustment processes and the bounded rationality of the agents in the model. In response, new generations of macro-econometric models arose where agents are forward looking, and markets adjust quickly and fully to disequilibrium despite potential market imperfections (Diebold, 1998; Mankiw, 2006; Woodford, 2009). Under the new paradigms, the multiplier effects from fiscal policy are dampened if not negated. The recession that started in 2008 has brought back an interest in multiplier effects from a fiscal stimulus.

A second model of the multiplier process is based on the input-output accounts developed by Leontief (1936, 1986). An input-output multiplier model includes the direct and indirect effects of a change in demand on industry production. It can also include the induced effects from the additional expenditures generated by the increased income to households. Moore (1955) and Moore and Petersen (1955) are two early applications of input-output multiplier analysis, looking at the impact of a change in industry demand on a regional economy. Miernyk (1965) published what has become a classic on input-output analysis that introduced the terminology of Type I and Type II multipliers, and which treats the induced effects of the input-output multiplier as equivalent to the aggregate multiplier. Miller and Blair (1985) published a classic textbook on input-output analysis, which discusses the different types of multipliers, as does Hewings (1985).

The Social Accounting Matrix (SAM) multiplier is a third model of the multiplier process. A SAM expands upon the input-output accounts by fully integrating a nation's National Income and Product Accounts with the input-output accounts, which involves accounting for taxes and savings and other inter-institutional income flows. Early development of the SAM multiplier is found in the work of Pyatt and Round (1979) and Defourny and Thorbecke (1984), and recent summaries in Pyatt (2001) and Robinson (2006). IMPLAN (2010) provides a data-software package that applies a SAM-type multiplier similar to one developed in this report. Holland and Wyeth (1993) discuss moving from an input-output type II to a SAM-type II multiplier.

services” is used interchangeably with the term “commodities.” (For more information about the structure and content of the input-output accounts, see box, “Commodity and Income Flows in the Input-Output Accounts.”)

Annual input-output accounts through 2008 have been prepared by the U.S. Bureau of Economic Analysis (2010a). They reduce the detailed farm and food processing sectors of the benchmark accounts to one sector each, which limits their usefulness for studying the economic impacts on food and farm sectors. Therefore, the FANIOM model makes use of less recent 2002 data to achieve the industrial detail for studying the effect of Federal food assistance programs.

The U.S. Bureau of Labor Statistics (2009b) has developed annual input-output accounts through 2008 based on the 2002 benchmark accounts. The accounts are used to project the employment requirements for 202 industries 10 years into the future.<sup>2</sup> For analysis related to farm and food issues, this set of accounts disaggregates food processing reasonably well (though less than the benchmark accounts), but it only disaggregates agriculture into crop and livestock sectors. Methods exist to disaggregate more recent but more aggregated input-output accounts using older but more disaggregated accounts (Jackson and Comer, 1993). Future work may pursue this data development to clarify whether the new data base is worthwhile in the sense of more accurate impact estimates that are significantly different at the national level. Using such a method to create a more recent disaggregated input-output account would add to the cost of developing and updating the model.

More recent detailed input-output accounts and models for multiplier analysis have been developed for 2008 by the Minnesota IMPLAN Group, Inc. (2010, noted subsequently as IMPLAN) and by the U.S. Bureau of Economic Analysis (2010b, noted subsequently as RIMS II) for 2007/08 using various procedures and data to update the 2002 benchmark input-output accounts. Both IMPLAN and RIMS II are designed to be used at the State or county level, so multipliers may be more strongly affected by the year of data as businesses come and go from a region. Use of IMPLAN and RIMS II entail a monetary cost. With IMPLAN, a user purchases the data and software to conduct the multiplier analysis independently. With RIMS II, a user purchases specific multipliers. Though the analysis in this report could be done with IMPLAN, USDA-ERS has chosen to develop a national IOM model that is easy to maintain (low cost), does not require significant data updating, can be easily used for other types of multiplier analysis at the national level, and can serve as a teaching tool.

FANIOM, like other IOM models, is a system of linear simultaneous equations. Model parameters are specified as average coefficients from annual data for 2002. Derivation of the multipliers is an exercise of comparative statics; given an exogenous change, the model determines the new levels of economic activity consistent with that change. The process by which the economy adjusts to the new equilibrium level of economic activity is not modeled (see box, “Timeframe for Multiplier Process to Work”). The comparative static solution to an IOM model is traditionally found by matrix inversion of the system of linear simultaneous equations (Miller and Blair, 1985). Rather than using matrix inversion to calculate multipliers, the FANIOM model is solved as a system of simultaneous equations using

<sup>2</sup>These accounts include a “domestic employment requirement table” to estimate the jobs impact for a change in final demand, such as exports or personal consumption expenditures, which this report compares to FANIOM estimates.

### Commodity and Income Flows in the Input-Output Accounts

The input-output accounts describe the flow of commodities from the industries that produce them to the industries that use them as inputs in production and to final demand. The inter-industry commodity flows are an essential part of the multiplier process. They are the basis from which an increase in production from an exogenous change in demand for a commodity gets passed on to other industries as demand for inputs. Final demand consists of a number of components: personal consumption expenditures (PCE), government purchases, private fixed investment as business equipment and structures and as residential construction, inventory change, and exports to the rest of the world. Imports are treated as a negative component of final demand since they are purchased as intermediate inputs by domestic industries and by the other components of final demand (except exports). All users of a commodity, be it industry or final demand, purchase the same share of the domestically produced commodity and imports of that commodity. The import share by commodity has an impact on the multiplier effects. A greater import share results in a smaller multiplier effect on domestic production.

Corresponding to the commodity flows from industry to industry but in the opposite direction are the income payments for the purchase of the commodities, which are the intermediate cost of production. To fully specify the cost of production by industry, the input-output accounts also include industry payments to factors of production in the form of employee compensation (labor income) and operating surplus (capital income). Labor income is a gross measure of labor income to hired workers that includes the employer and employee contributions for social insurance (social security and Medicare). Capital income is one value for each industry in the input-output accounts, but in NIPA it includes interest payments, dividends, rent, proprietors' income, retained earnings, profit tax, and depreciation. For consistency with including the self-employed as part of the employment measure, proprietors' income is reallocated from capital income to labor income. Appendix 2 discusses how proprietors' income is reallocated. Interest, dividends, and rent are treated as the capital income that households receive as a return to ownership of financial assets and property. Excise and sales taxes plus import tariffs less subsidies to industry are treated as an additional component of factor payments to derive industry value added as the sum of factor payments. Government revenue from these taxes will increase as expenditures on commodities increase. Due to issues about the treatment of excise and sales taxes in the input-output accounts, estimating the increase in government revenue generated from these taxes in the multiplier process is unreliable.

Another feature of the input-output accounts is that all commodity purchases, as intermediate or final demand, are recorded in the accounts at producer prices. But the purchase of a commodity may also involve retail trade, wholesale trade, and transportation margins for the service industries that deliver the commodity from the producer to the purchaser. The trade and transportation margins by commodity are maintained separately in the accounts, and can be used to calculate commodity expenditures in purchaser prices. In deriving the multiplier effects for a change in consumer expenditures it is important to specify the change in expenditures for commodities in purchaser prices (value at the retail outlet) and convert that into a change in expenditures for commodities in producer prices (value at the factory gate), plus a change in the expenditures on trade and transportation services.

### Timeframe for Multiplier Process To Work

The multiplier effects on economic activity occur over time. There is no definitive analysis about how long it takes for the full multiplier effects to occur. Still, it is possible to provide some guidance on the timeframe for the economic effects from the multiplier process to occur. The initial increase in expenditures by SNAP recipients has a direct effect on the economic activity of the producers of the goods and services purchased, retail establishments, and the wholesale and transportation systems. These effects will occur quickly, particularly for SNAP benefits as recipients spend them during the month that they receive them. The producer of the goods and services may not respond as quickly to the direct effect by increasing production if inventories are plentiful. Consequently, the short-term effectiveness of a fiscal stimulus will depend on inventory levels. If inventories are low, the producer will increase production during the current or next month following the expenditures and will order new inputs. The new input orders will stimulate production by the industries that make them, generating the next round of the multiplier process and the first round of indirect effects. The new input orders are likely to occur during the same quarter as the initial expenditure.

Also occurring during this first quarter in response to the direct effects and initial indirect effects is an increase in labor income for the directly affected industries and their input suppliers. A first round of induced effects on economic activity is generated from the additional labor income. These occur as households receive their paychecks, which will happen during the first quarter. Less clear is when the induced effects from capital income occur, but they are more likely to occur later than the induced effects from labor income, as households receive capital income less quickly and less often than wages.

The direct effects and initial rounds of indirect and induced effects will arguably occur quickly and most probably during the first quarter of the initial expenditures. The subsequent rounds of indirect and induced effects take place sequentially over time. Though empirical evidence does not exist, to put some bounds on the timeframe it seems reasonable to argue that each round of effects will take an additional quarter. Thus, within a year, four rounds of indirect and induced effects will likely occur. So what percent of the multiplier process is accounted for by the direct effects and four rounds of indirect and induced effects? One response to this question is from the input-output method of taking a power series approximation to the inverse of the  $(I-A)$  matrix (Miller and Blair, 1985, pp. 22-24; Hewings, 1985, p. 14). Each round of induced economic effects from the multiplier process is equivalent to adding an additional term in the power series. A feature of a power series is that the impact of each additional term is reduced exponentially. "In many applications it has been found that after about 7 rounds of indirect effects the impact is insignificantly different from zero. So, it is possible to capture most of the effects associated with a given final demand by using the first few terms in the power series." By four rounds in the first year, it is reasonable to claim that 75 percent of the multiplier effects will have been accounted for.

an optimizing algorithm in the GAMS software (Brooke et al., 1992). For a linear IOM model, the solution will be robust to the solution method, be it matrix inversion or optimization. A benefit of using GAMS is that the IOM model is specified as a system of algebraic equations, which is a flexible means of developing modifications to a traditional IOM model, particularly related to the induced effects. Other authors have preferred to use alternative matrix decompositions to achieve the same end (Pyatt and Round, 1979). Appendix 3 provides a technical description of the FANIOM model.

FANIOM is a partial-equilibrium, static model of the U.S. economy. By its nature, the model is unable to capture all economywide impacts of any program, such as opportunity costs of the government expenditures or the implications of the revenue sources. The report does discuss how macroeconomic models have addressed stimuli programs and their potential implications on future interest rates, inflation, and household expectations and behavior.

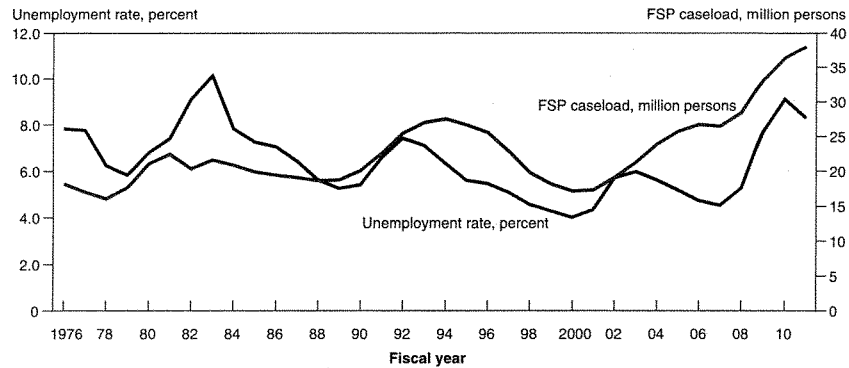
### **Exogenous Shock to an IOM Model From Government Expenditures**

Translating government expenditures as a fiscal stimulus into an exogenous shock to the IOM model is a critical step in using an IOM model to estimate the multiplier effects. How to do this is specific to the type of expenditure or the type of project/program that is funded. For instance, investment into infrastructure is an increase in government demand for construction activity; extension of unemployment insurance benefits is a transfer to households; and general aid to States can be used in many ways such as funding education, primarily teacher salaries.

When government expenditures go directly to households as transfers, wages, or tax rebates, there is the issue of how much is spent, how much is saved (or used to pay off debt), and how much is taxed. The higher a household's income, the more likely some of it will be saved and taxed, which reduces the multiplier effects from the expenditures. This is a reason to carefully translate government expenditures into an exogenous change in final demand.

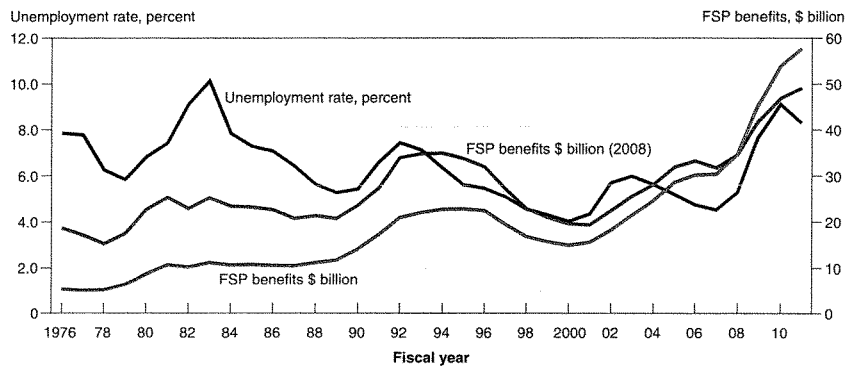
This report focuses on government expenditures as SNAP benefits to low-income households. SNAP is the Nation's largest domestic nutrition assistance program for low-income Americans. In fiscal year (FY) 2009, the program served 33.7 million Americans in an average month and issued \$50.4 billion of SNAP benefits over the year, including \$4.3 billion from ARRA legislation. As a means-tested entitlement program, SNAP automatically responds to changing economic conditions, providing assistance to more households during an economic downturn or recession and to fewer households during an economic expansion (figs. 1 and 2). While SNAP is an automatic fiscal stimulus, SNAP can also serve as a discretionary fiscal stimulus, meaning that Congress can change the program in any given year as economic conditions warrant. For example, as part of the government economic stimulus package of 2009 (ARRA), Congress temporarily increased the maximum benefit amounts to recipients by 13.6 percent (of 2009 levels). Increasing benefits to SNAP recipients provides a sudden stimulus because SNAP recipients spend the benefits quickly and fully. An

Figure 1  
Annual SNAP caseload and unemployment rate, 1976-2008, with CBO projections for 2009-11



Source: U.S. Department of Agriculture, Food and Nutrition Service; U.S. Bureau of Labor Statistics, Current Population Survey; and Congressional Budget Office.

Figure 2  
Annual SNAP benefits and unemployment rate, 1976-2008, with CBO projections for 2009-11



Source: U.S. Department of Agriculture, Food and Nutrition Service; U.S. Bureau of Labor Statistics, Current Population Survey; and Congressional Budget Office.

estimate of the expected increase in SNAP benefits in response to the 2008 recession—based on Congressional Budget Office (CBO) projections—is presented in the box, “SNAP Response to the 2008 Recession.”

SNAP recipients use the benefits quickly and fully, with no effect on the savings or taxes of the recipients. The issue is in translating the increase in benefits into a change in consumer expenditures on goods and services. As stipulated by program rules, recipients spend all the benefits on food at home,

### SNAP Response to the 2008 Recession

Congressional Budget Office (CBO 2009a,b,d) estimates for the expected increase in SNAP benefits due to the recession that started in January 2008 are presented in the table below. The benefit amounts are reported in "current" dollars (not adjusted for inflation) for the year that the benefits are issued. There are two components: (1) the additional benefits from an increase in caseloads and (2) the additional benefits from a 13.6-percent increase in the maximum benefit amount from the American Recovery and Reinvestment Act of 2009 (ARRA). The combined increase in benefits issued range from a high of \$15.4 billion in 2009 and \$14.7 billion in 2010 to a low of \$4.2 billion in 2008 and 2012 (excluding 2013 when the average monthly caseload is expected to fall).

As part of the 2009 fiscal stimulus package, ARRA included a 13.6-percent increase in the SNAP maximum benefit amounts based on the June 2008 Thrifty Food Plan cost for a four-person reference family. The maximum benefit is the amount of SNAP benefits received by recipients who have no "net income" (calculated as a family's gross income less deductions). The maximum benefit varies by household size (and whether a family resides in Alaska or Hawaii). For example, the maximum benefit for a 4-person household (in the 48 States and DC) increases by \$80 from \$588 to \$668 in 2009 as a result of the ARRA. With legislation passed in February 2009, States were able to implement the adjustment to households' benefits starting in April 2009 (USDA-FNS, 2009). ARRA stipulated that the "adjusted" maximum benefit amounts remain in effect until the June cost of the Thrifty Food Plan (TFP), which rises with food price inflation, exceeds this adjusted maximum benefit amount. The cost of the June TFP is the usual basis for setting the SNAP maximum benefits for an upcoming fiscal year.

According to CBO (2009d) cost projections for ARRA, the additional SNAP benefits issued during FY 2009 are estimated to be \$4.812 billion. The estimate is for one-half of the fiscal year (April through September), reflecting the timing of when the additional benefits are issued. For FY 2010, the additional benefits are estimated at \$6.1 billion, decreasing to \$4.4 billion for FY 2011, \$3.1 billion for FY 2012, \$1.6 billion in FY 2013, and zero thereafter. The estimated additional benefits from the ARRA get smaller as the benefits with the adjusted maximum benefit is compared to the benefits that would be issued without passage of ARRA, given expected food price inflation.

#### Estimated additional SNAP benefits issued following the 2008 recession, 2008-13

	2008	2009	2010	2011	2012	2013	Sum
<i>\$ billion</i>							
Estimated additional SNAP benefits	4.238	15.417	14.660	8.194	4.273	1.639	48.421
From caseload increase	4.238	10.605	8.602	3.832	1.158	0.000	28.435
From SNAP benefit adjustment	0.000	4.812	6.058	4.362	3.115	1.639	19.986

Source: CBO (2009a,b,d) cost estimates.



but empirical research finds that recipients shift some cash income that was being spent on food into nonfood expenditures upon receiving the benefits. Consequently, food expenditures increase by only a percentage of the total increase in benefits, while nonfood expenditures increase by the remaining amount.

This report assumes that food expenditures increase by 26 percent of the increase in SNAP benefits. Fraker (1990) and Fox et al. (2004) reviewed a number of studies that estimated the effects of SNAP benefits on food expenditures by households and the shifting of cash into nonfood expenditures. Estimates ranged from 0.17 to 0.47, indicating that a \$1 increase in SNAP benefits would lead to additional food expenditures of between \$0.17 and \$0.47. Estimates based on data after 1977 changes in the SNAP purchase requirement range from 0.23 to 0.35. Levedahl (1995) estimates a marginal propensity to consume food from SNAP benefits of 0.26, while Kramer-LeBlanc et al. (1997) estimate a value of 0.35, and Breunig and Dasgupta (2005) estimate a value of 0.30. These estimates are considered more relevant to current program circumstances.

The increase in food-at-home expenditures is distributed among specific food items using average food expenditure shares from the personal consumption expenditure (PCE) data in the input-output accounts. Similarly, nonfood expenditures are distributed among the nonfood goods and services in the PCE data according to average shares of nonfood expenditures. The average expenditure shares are calculated in purchaser prices, at retail, and then converted to expenditures for goods and services at producer prices and for trade and transportation services. These average shares for food and nonfood expenditures are used to approximate what should be marginal expenditure shares for an increase in expenditures from a change in SNAP benefits. This use of average shares as marginal shares is typical of an IOM model but could be a source of model misspecification. Households' average use of income may differ from how they spend an increase in income. Marginal expenditure shares specified from econometrically estimated income elasticities could be used to modify the FANIOM model. This would be a useful extension of the model.

## Multiplier Effects from an Input-Output Multiplier (IOM) Model

There are a number of different types of multipliers that can be derived from an IOM model and each type can be calculated for a number of economic variables. This chapter clarifies the differences among these multipliers by describing what they are and how they are calculated. Using the FANIOM model, these multipliers are calculated for SNAP benefits.

### Multipliers for Three Economic Variables: Production, GDP, and Employment

A “multiplier” is a ratio between changes in two economic variables. A multiplier expresses the change in one economic variable that is endogenous—i.e., determined within the framework of the model—as result of a change in a second economic variable that is exogenous—i.e., determined outside of the model. This study considers three endogenous variables of economic activity: production, gross domestic product (GDP or value added), and employment (jobs).<sup>3</sup>

Production is a measure of economic activity that corresponds to the cash receipts or revenue from the sale of goods and services. It is a gross measure of economic activity in that it includes inter-industry transactions. Relative to the value of production, GDP is net of inter-industry expenses, or the purchase of inputs from other industries. An IOM model embraces both measures of economic activity since the input-output accounts include inter-industry transactions. Macroeconomic models focus on GDP to measure economic activity. Comparing multipliers from these two modeling approaches can be confusing if it is unclear whether a production or GDP multiplier is being reported. It is important to make the distinction clear since the production multiplier is close to twice the magnitude of the GDP multiplier. Following Miernyk (1965), the U.S. Bureau of Economic Analysis uses the term “total requirements” as the direct plus indirect production activity generated by a change in final demand (Horowitz and Planting, 2006). This report makes the distinction between these two multipliers by referring to a production multiplier and a GDP multiplier.

The FANIOM model is specified with data for 2002. Most applications will pertain to events in a more recent year. That is, the exogenous shock will be in dollar value for the more recent year. To the extent that the structure of the IOM model remains the same over time as specified by the data underlying the model, the production and GDP multipliers from 2002 will be applicable to the dollar value of the exogenous change in a more recent year. The assumption of an unchanging structure is unlikely to be fully true, but, practically, the change in an IOM model structure over 5 to 10 years is minimal. To demonstrate, a Type I production multiplier (as described below) has been calculated from three benchmark input-output accounts for 1992, 1997, and 2002 for an exogenous change in household expenditures from \$1 billion of SNAP benefits. The multipliers ranged from 1.84 for 1992 (Hanson and Golan, 2002) to 1.92 for 1997 (unpublished), with an intermediate value of 1.88 for 2002 (in this report). Similarly, Stern (1975) estimated a multiplier for an exogenous change in final demand from a set of government transfers

<sup>3</sup>Multipliers for other endogenous economic variables such as household income can be calculated. This report focuses on these three variables since they are most commonly discussed in context of the 2008 recession.

to households using the 1972 benchmark input-output accounts and found a value of 1.87. The evidence suggests that production and GDP multipliers based on 2002 data will work reasonably well for an application that pertains to economic activity in 2008 through 2012.

The employment multiplier (jobs impact) is a demand for labor by industry to carry out the new production activity. The new demand can be met by employing new workers, having existing employees work more hours, or not laying off existing employees and/or not reducing hours of work. These are the created and saved jobs. The model cannot distinguish among the means by which the jobs impact occurs; it provides a general estimate of the demand for additional labor.

Calculation of employment multipliers starts with data on average industry jobs-production ratios for each employment measure. The IOM model estimates the change in production by industry from the multiplier process. The change in industry jobs is estimated for each industry as the product of the industry jobs-production ratio and the change in industry production.

The employment multiplier is calculated by the model as the number of jobs per billion dollars of SNAP benefits (or other form of government expenditures) in 2002 dollars, the year of the data for model specification. But it is preferable to report the jobs impact in terms of the year for which the study is being conducted, such as 2008. Unlike the production or GDP multipliers, the magnitude of the employment multiplier is sensitive to the number of years between the year for which the model is specified (2002) and the year in which the results are reported (2008). Adjusting the employment multiplier to a more recent year depends on the rate of inflation and labor productivity.

Labor productivity tends to increase over time so the amount of labor necessary to produce a given amount of output tends to fall. To adjust for labor productivity, the employment-output ratios of 2002 are reduced by a labor productivity adjustment factor of 0.873 using the U.S. Bureau of Labor Statistics (2009a) major sector productivity index (output per hour) for the business sector. Given an increase in the price of commodities, the dollar value for a quantity of output in a more recent year is larger than the dollar value in an earlier year. To reflect this change in the dollar value of a quantity of output, the employment-output ratios (number of jobs per unit of output) are reduced by an inflation adjustment factor of 0.868 using the implicit price deflator for the labor productivity measure (U.S. Bureau of Labor Statistics, 2009a). Combined, these two adjustments result in an overall employment adjustment factor of 0.758 that reduces the employment impact per billion dollars of output in 2002 dollars to an employment impact per billion dollars of output in 2008 dollars.<sup>4</sup>

### Types of Multipliers

The multiplier effects depend on more than simply which pair of endogenous and exogenous variables is considered. For any given pair, there are several "types" of multipliers that depend on how other variables in the model are treated—specifically, which variables are held constant or unchanging in the calculation of a multiplier and which variables are allowed to vary (Miernyk,

<sup>4</sup>The 0.758 employment adjustment factor is very close to a value of 0.754 derived from the BLS (2009b) Employment Requirement Table, for 2002 and 2008, for an exogenous change in personal consumption expenditures.

1965; Hewings, 1985; Miller and Blair, 1985). This study distinguishes three types of multipliers (type I, II, and III), which have their roots in alternative methods of analyzing the multiplier process (see box, "Historical Digression on the Roots of Multiplier Models," on page 3). A further distinction is whether the multipliers are adjusted to domestic economic effects by netting out the share of goods and services that are imported into the U.S. market (import adjustment). Each type of multiplier is calculated for the three endogenous variables of economic activity considered in this study.

A type I multiplier consists of two components: the "direct" and "indirect" effects due to an exogenous change in final demand. For an increase in SNAP benefits, the direct effects are the share of expenditures made by SNAP recipients that go to domestic producers. Given the structure of the input-output accounts, the direct effects are distributed among the producers of the goods and services being purchased, the retailer, and the wholesale and transportation systems. These industries increase production to supply the domestic share of the new demand for goods and services. An increase in imports completes the direct effects, but these are not a fiscal stimulus to the domestic economy. Imports are a leakage in the multiplier process for the domestic economy, but they do provide a stimulus to the rest of the world. The direct effects from SNAP benefits tend to occur completely in the month of receipt, a quick and full response to the fiscal stimulus by the government.

The indirect effects are the inter-industry demand for inputs to production that arise in response to the direct effects from the new demand for goods and services. An IOM model hinges on the input-output accounts that record the inter-industry use of goods and services in the production of other goods and services. It is this set of complex interactions among industries that provides the basis for calculating the indirect effects for the type I multiplier. The indirect economic activities are distributed over time, with some occurring sooner than others. Most indirect effects will occur within the year, for they involve the refilling of inputs used in producing the goods and services purchased by food stamp recipients. For instance, the baker who sells more loaves of bread will order more flour from the miller, who will process more wheat to fill the order. All stages of the new production activity incur new demand for such basic inputs as energy and labor, as well as the need for transportation services. Given the heightened demand for food with SNAP benefits, a significant share of the new demand for inputs into food processing is for farm products.

A type II multiplier expands the type I multiplier with the induced effects from labor income (net of taxes and savings). The jobs created or saved through the direct and indirect effects of the type I multiplier process have a corresponding increase in labor income to households. The households that receive the income spend some of it, devote some to income tax, and put some into savings. The portion of labor income that is spent on goods and services further stimulates the economy. The first round of induced effects from labor income leads to additional induced and indirect effects, which compound the multiplier process.

To account for the induced effects of the type II multiplier, first calculate the additional number of jobs created or saved. The jobs impact is calculated using the industry jobs-production ratio and the change in production. The

number of FTE-jobs plus self-employed is the employment measure used in calculating the jobs impact for this report.

Second, calculate the labor income corresponding to the change in employment. Labor income includes proprietors' income as a return to self-employed labor, which is included in the jobs impact. A typical method to calculate the change in labor income is to multiply the ratio of labor income to industry production by the change in industry production from the type I multiplier process, just as the jobs impact is calculated. This approach is consistent with using industry labor income to calculate an average wage for industry employment (FTE-jobs plus self-employed) and multiplying this wage by the change in industry employment (FTE-jobs plus self-employed).

Finally, to complete the calculations of the induced effects for the type II multiplier, calculate the portion of additional labor income received by households that is spent on goods and services. Using *National Income and Product Accounts* (NIPA) data for 2002, subtract social insurance taxes (11 percent) to arrive at net labor income to households, then subtract income taxes (12 percent) and the portion of earned income that is saved (2.5 percent). The remaining labor income is spent on goods and services. The amount spent is distributed among the goods and services consumed by households in proportion to the personal consumption expenditures in the input-output accounts.

A type III multiplier expands the type II multiplier by including the induced effects from the capital income households receive, net of taxes and savings. In addition to the labor income (which includes proprietors' income), households also receive income from the ownership of capital and property in the form of dividends, interest, and rent. These sources of capital income are components of industry gross operating surplus in the input-output accounts. NIPA data for 2002 are used to estimate that households receive 47 percent of industry capital income (net of proprietors' income), with the remainder consisting of other forms of capital income that do not go to households, such as retained earnings, depreciation, and profit tax.

The capital income received by households and spent on goods and services is calculated in a manner similar to the treatment of labor income. The capital income received by households from the multiplier process is calculated by multiplying the change in industry production by the historical average ratio of industry capital income received by households to industry production. The portion of capital income received by households that is spent on goods and services is net of household income tax and savings. The same income tax rate and savings rates are used for both sources of income (capital and labor). Including the induced effects from capital income in an IOM model makes the type III multiplier equivalent to a SAM multiplier.

It is important to adjust the multipliers for the share of goods and services that are imported so that the multipliers are for the domestic U.S. economy only. Imports will fulfill a share of the new demand for commodities that arise from the exogenous change and the multiplier process. It is assumed that the share of new demand fulfilled by imports equals the import share of domestic commodity demand in the benchmark input-output accounts. The accounts assume that all users (industries and households) of a specific

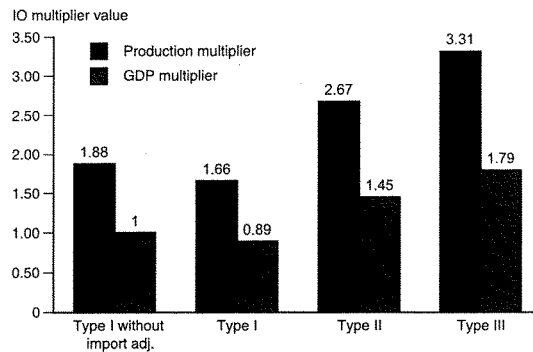
commodity purchase the same ratio of imports to domestic supplies, though the ratio varies by commodity. Throughout this report, multipliers will include this import adjustment unless noted otherwise.

### Multiplier Estimates

Figure 3 compares the production and GDP multipliers from \$1 billion of SNAP benefits for the different types of multipliers. The type I multiplier without import adjustment is a starting point for comparing the relative impact of additional multiplier components. The type I GDP multiplier without import adjustment is 1.0, such that a \$1-billion change in final demand generates an equivalent change in GDP, while the type I production multiplier without the import adjustment is 1.88. The GDP multiplier is 53 percent of the production multiplier, reflecting an average 55.6 percent ratio of GDP to production in the 2002 benchmark input-output accounts. This relationship between GDP and production multipliers holds for each type of multiplier. The 1.88 production multiplier using the 2002 benchmark input-output accounts is similar to the value of 1.84 reported in Hanson and Golan (2002) using the 1992 benchmark input-output accounts. Including the import adjustment with the type I multipliers (second pair of columns in figure 3) lowers both the production and GDP multipliers by 12 percent. The GDP multiplier is less than one, since some of the new demand for goods and services is met by imports and the income (GDP or factor returns) generated from the production of those imports goes to foreign producers.

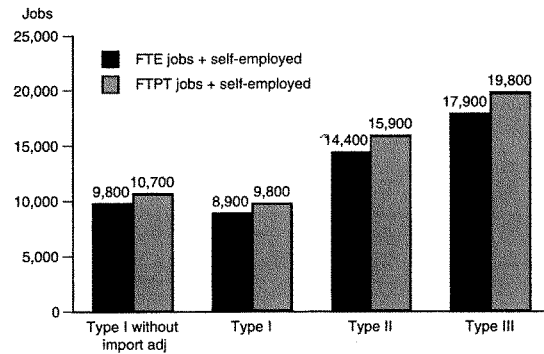
The type II multiplier adds the induced effects from labor income to the type I multiplier. In figure 3, the type II multipliers include the import adjustment. The production multiplier is 2.67, and the GDP type II multiplier is 1.45. The induced effects from labor income increase the multiplier effects from the fiscal stimulus by 62 percent. The type III multipliers add the induced effects

Figure 3  
**Production and GDP multipliers from a \$1-billion increase in SNAP benefits**



Source: ERS calculations from input-output multiplier model.

Figure 4  
Jobs generated per \$1 billion (2008 dollars) of SNAP benefits



Source: ERS calculations from input-output multiplier model.

of capital income to the type II multipliers. The type III multipliers are 3.31 for production and 1.79 for GDP, a 24-percent increase relative to the type II multipliers.

Figure 4 compares the jobs impact (employment multipliers) per \$1 billion of SNAP benefits for the type I, II, and III multipliers. The jobs impact is calculated in two ways, as FTE-jobs plus self-employed and as FTPT-jobs plus self-employed. These jobs impacts use average employment-to-output ratios by industry and the change to industry production in their calculation. The \$1 billion of SNAP benefits generates a jobs impact of 9,800 FTE-jobs plus self-employed from the direct and indirect effects of a type I multiplier without import adjustment. The import adjustment reduces the jobs impact by 10 percent to 8,900 FTE-jobs plus self-employed. Adding the induced effects from labor income (type II multiplier) increases the employment effects to 14,400 FTE-jobs plus self-employed, a 62-percent increase over the type I multiplier. Adding the induced effects for capital income (type III multiplier) increases the jobs impact by another 24 percent to 17,900 FTE-jobs plus self-employed. The jobs impact as FTPT-jobs plus self-employed is about 10 percent larger than the FTE-jobs plus self-employed for each type of multiplier.

Table 1 summarizes the multiplier effects on production, GDP, and jobs for three types of multipliers and two employment measures. Different types of multipliers are used for different situations (see box, "What Type of Multiplier To Use"). Of particular importance for analyzing the fiscal stimulus from government expenditures is the type III GDP multiplier. The value of 1.79 is comparable with the GDP multipliers generated by several macroeconomic models.

### What Type of Multiplier To Use?

Both the U.S. Department of Agriculture and U.S. Department of Commerce use type I multipliers for the analysis of export impacts on the U.S. economy (Schluter and Edmondson, 1994; Davis, 1996; Edmondson, 2008; and Tschetter, 2010). The type I multiplier with import adjustment is suited to determine the number of jobs associated with the production activities underlying U.S. exports. Tschetter (2010)—using the employment requirements table prepared by the U.S. Bureau of Labor Statistics (2009b)—estimated that 6,076 jobs (FTPT-jobs plus self-employed) were generated per \$1 billion of U.S. exports in 2008, given the composition of exports that year. The same employment requirements table can be used with PCE (Personal Consumption Expenditures) data on household expenditures to find that, on average, 9,645 FTPT-jobs plus self-employed were generated per \$1 billion of household expenditures in 2008. This number of jobs compares well with the jobs impact with the type I multiplier (with import adjustment) reported in table 1 (9,800 FTPT-jobs plus self-employed) that is calculated by the FANIOM model for a similar scenario.

The type II multiplier, with the induced effects from labor income, is typically used for regional analysis of the economic impact from an exogenous change in economic activity such as a military base closure (U.S. GAO, 2005) or a production plant moving into or out of a region (U.S. Federal Reserve Bank of Dallas, 2004). Both IMPLAN (2010) and RIMS II (U.S. Bureau of Economic Analysis, 2010) are IOM models designed for this type of analysis. A common feature of these applications is the long-term change in economic activity for a region. The induced effects from labor income are relevant since the exogenous change will affect the employment opportunity in the region and hence the earnings spent in the region. For a type II multiplier, IMPLAN estimates a jobs impact of about 17,000 FTPT-jobs plus self-employed for \$1 billion of household expenditures in 2008, slightly higher than the 15,900 FTPT-jobs plus self-employed from the FANIOM model.

Traditionally the induced effects from capital income have not been included in an IOM model. However, including the induced effects from capital income makes the type III multiplier in an IOM model equivalent to a SAM multiplier and comparable with a macroeconomic multiplier. Sullivan et al. (2004) provide an example of using a SAM multiplier, while Zandi (2008a) provides an example of a GDP multiplier from a macroeconomic model.

A jobs impact measured as the number of FTE-jobs plus self-employed and calculated using an industry average jobs-to-GDP (or production) ratio times the change in GDP (or production) is appropriate for assessing the jobs impact from a new business starting or old business closing since this will affect all jobs in that business. Such a jobs impact is also appropriate for calculating the number of jobs it takes to support the level of exports or household expenditures in a particular year. But this method of estimating the jobs impact may not be appropriate for a change in exports or household expenditures. How employment changes in response to a change in GDP (or production) may be less than what would be calculated using an average jobs-to-GDP (or production) ratio.



Table 1  
**Production, GDP, and job multipliers from a \$1-billion increase in SNAP benefits**

	Production	GDP	FTE-jobs	FTPT-jobs
Type I without import adjustment	1.88	1.00	9,800	10,700
Type I	1.66	0.89	8,900	9,800
Type II	2.67	1.45	14,400	15,900
Type III	3.31	1.79	17,900	19,800

Source: ERS calculations.

### Distribution of Multiplier Effects Among Industries

SNAP benefits increase household food expenditures and allow recipients to shift some cash income from the purchase of food to the purchase of other goods and services. The new demand for food and nonfood goods and services, along with inter-industry linkages, has an impact on production, GDP, and employment for a number of industries, including agriculture, food processing, retail stores, wholesale-transportation, energy, and various other manufacturing and service industries. The induced effects on household expenditures from labor and capital income compound the multiplier effect across industries, while the import share reduces the impact on domestic producers.

The shift of cash income from food to nonfood expenditures as households receive more SNAP benefits has a significant impact on how the multiplier effects are distributed over industries. Even though recipients spend all SNAP benefits on food, the receipt of SNAP benefits allows them to shift some of their previous cash expenditures on food to alternative uses. As a consensus estimate from the literature, this report assumes that, on average over all SNAP recipients, every dollar of SNAP benefits generates an additional 26 cents of food expenditures, with the rest spent on nonfood goods and services. Expenditures on food and nonfood goods and services are assumed to be in proportion to average expenditure shares in the personal consumption expenditures of the 2002 Benchmark Input-Output Accounts.

Consider the case of a \$1-billion increase in retail food expenditures where the type I multiplier (without import adjustment) is used to estimate the impact of the food expenditures on agriculture. Out of the \$1 billion in food expenditures, 26.2 percent goes to retailers, 11.7 percent goes to the wholesale-transportation system, 56.5 percent goes to food processors, and 5.6 percent goes directly to agriculture. Some foods such as fresh fruits and vegetables, tree nuts, and eggs bypass the processing industries and go directly from the farm through the wholesale-transportation system into retail outlets. Food processors purchase the bulk of agricultural commodities for processing into the foods we eat.<sup>5</sup> Another source of indirect effects of food expenditures on agriculture is the use of agricultural commodities in the production of other agricultural commodities, such as feed grains for animal and dairy production. Given the direct and indirect effects, the \$1 billion of retail food expenditures generates \$267 million of agricultural production,

<sup>5</sup>The processing of agricultural commodities into the foods that we eat involves a complex network of industries. One set of industries purchases agricultural commodities and processes them into basic food products, such as flour from wheat, while another set of industries uses the basic foods to make more highly processed foods such as bread and the many prepared foods that we eat.

\$87 million of agricultural GDP or value added, and close to 3,000 agricultural jobs (FTE-jobs plus self-employed).

Using the type I multiplier model adjusted for imports, the impact of \$1 billion in food expenditures on domestic agricultural production, GDP, and employment is reduced by about 16 percent. The \$73.4-million increase in agricultural GDP with the import adjustment is distributed between livestock (44 percent) and crop production (56 percent). The GDP impact on livestock is distributed among dairy (14.2 percent), poultry (7.8 percent), and cattle plus other animals (22 percent). The GDP impact on crops is distributed among grains (12.4 percent), fruits and vegetables (30.8 percent), and other crops (12.8 percent).

Now consider a \$1-billion increase in SNAP benefits, which will increase retail food expenditures by \$260 million (26 percent) and expenditures on nonfood goods and services by \$740 million due to the shift of cash income from food to nonfood. Using the type I multiplier with import adjustment, agriculture receives \$68 million in cash receipts from the sales of agricultural commodities (production). The additional sales lead to \$23.5 million of agricultural value added or GDP, and close to 765 agricultural jobs (FTE-jobs plus self-employed). The increase in agricultural GDP is distributed between livestock (38 percent) and crop production (62 percent). The GDP impact on livestock is distributed among dairy (11.4 percent), poultry (6.1 percent), and cattle plus other animals (20.8 percent). The GDP impact on crops is distributed among grains (11.3 percent), fruits and vegetables (23.2 percent), and other crops (27.2 percent).

Finally, consider the case of a \$1-billion increase in SNAP benefits with the type III multiplier with import adjustment. Given the direct, indirect, and induced effects from labor and capital income, the \$1 billion of SNAP benefits generates \$92.6 million of agricultural production, \$32.3 million of agricultural GDP or value added, and close to 1,000 agricultural jobs (FTE-jobs plus self-employed).<sup>6</sup> The increase in agricultural GDP is distributed between livestock (38 percent) and crop production (62 percent). The GDP impact on livestock is distributed among dairy (11.4 percent), poultry (6.0 percent), and cattle plus other animals (20.6 percent). The GDP impact on crops is distributed among grains (11.4 percent), fruits and vegetables (22.3 percent), and other crops (28.3 percent). Most of the increase in GDP goes to the service industries (67.4 percent), while agriculture receives 1.8 percent; food processors, 2.8 percent; energy sectors, 3.2 percent; nonfood manufacturing, 7.6 percent; retail trade, 9.8 percent; and wholesale-transportation, 7.4 percent.

<sup>6</sup>With the type II multiplier (including import adjustment), the \$1 billion of SNAP benefits generates \$83.1 million of agricultural production, \$28.9 million of agricultural GDP, and 938 agricultural jobs (FTE-jobs plus self-employed). The distribution of these impacts among agricultural sectors is identical to the distribution for the type III multiplier.

## Comparing and Reconciling Multipliers With Macroeconomic and IOM Models

This section first compares the multiplier effects from an IOM model with those from several macro-economic models. It then discusses how to reconcile the jobs impact from an IOM model with those derived using the method recommended by the U.S. Executive Office of the President, Council of Economic Advisors (2009; CEA in subsequent citations).

### Comparison of Multipliers from Alternative Macroeconomic Models

There is considerable debate on the appropriate macroeconomic model for analyzing the multiplier effects from a countercyclical fiscal policy. The effect of fiscal policy on real economic activity (real GDP) is sensitive to model assumptions regarding household behavior (myopic vs. forward-looking), market adjustment to disturbances, and monetary policy. Several studies present multipliers from alternative macroeconomic models that have contributed to the debate on expected multiplier effects of government expenditures funded by the ARRA during the 2008 recession.

Romer and Bernstein (2009) estimate GDP multipliers for an increase in government purchases and a decrease in taxes using the Federal Reserve FRB/US model and a model from a leading private forecaster. They assume an accommodative monetary policy in which "the federal funds rate remains constant rather than increasing in response to the fiscal expansion, on the grounds that the funds rate is likely to be at or near its lower bound of zero for the foreseeable future" (p. 12). Their analysis finds that an increase in government purchases results in a GDP multiplier of 1.56, and a tax cut results in a multiplier of 1. They state that these multipliers "represent a consensus among economists and professional forecasters" (p. 3).

Zandi (2008b) used a macroeconomic model to analyze the GDP multiplier from various spending and tax proposals considered for the 2009 stimulus package. The model is specified so monetary policy is accommodating, and government borrowing has little or no crowding out effects (Zandi, 2008a; 2009). Simulations of the model result in GDP multipliers of 1.73 for SNAP benefits, 1.63 for unemployment insurance benefits, 1.38 for general aid to States, and 1.59 for infrastructure spending. A weighted average of these GDP multipliers is 1.50 using weights from CBO (2009a) budget estimates for ARRA expenditures. The weighted-average multiplier for government expenditures is close to the Romer and Bernstein GDP multiplier of 1.56 for government purchases, and Zandi's GDP multiplier of 1.73 for SNAP benefits corresponds to the 1.79 GDP multiplier (type III) from the FANIOM model.

Though these two studies dominated discussions among Congress and the Obama Administration about the expected impact of ARRA expenditures, other analyses illustrate the range of GDP multiplier effects generated by macroeconomic models (see table 2 and appendix of CBO, 2010). For instance, Cogan et al. (2009) contend that the GDP multiplier is less than 1 while Hall (2009) suggests that it can rise to 1.72. Hall's analysis illus-

trates how interest rates near the zero bound allow a fiscal stimulus to occur without crowding out private sector investment. Cogan's analysis illustrates that multiplier effects are significantly reduced by model assumptions that households are forward-looking with perfect foresight and that unemployment as a labor market adjustment problem does not exist.

### **Reconciling FANIOM Jobs Impact Estimates with CEA Estimates**

Romer and Bernstein (2009) is the basis for the Council of Economic Advisors (CEA)-recommended method for estimating the jobs impact from government expenditures funded through the American Recovery and Reinvestment Act of 2009 (CEA, 2009).

There are four steps in the CEA method to estimate the jobs impact from government expenditures:

1. Start with a GDP multiplier of 1.56 for all types of government expenditures, including spending on goods and services, transfers to States, and transfer payments to households. The multiplier is derived from simulation experiments with several macroeconomic models.
2. Assume that a 1-percent increase in GDP will increase employment by 1 million jobs. CEA states that this is a "conservative rule of thumb" that allows for higher productivity as a means by which GDP rises in response to a fiscal stimulus (Romer and Bernstein, 2009, p. 3).
3. Calculate that a \$100-billion increase in government spending creates 1,085,355 job-years. Derive the jobs impact by applying a 1.56 GDP multiplier to the \$100-billion increase in spending to get a \$156 billion increase in GDP, which is about 1.085355 percent of GDP in 2008 (\$14,373 billion, prior to revisions). At 1 million jobs per 1-percent increase in GDP, the 1.085355-percent increase in GDP results in the 1,085,355 jobs from a \$100 billion increase in spending.
4. Divide the \$100-billion increase in government spending by the 1,085,355 jobs to get the CEA rule of thumb that a \$92,136 increase in government spending creates 1 job.

The CEA-estimated jobs impact, based on macroeconomic analysis, is less than the jobs impact from the FANIOM model based on input-output analysis. By the CEA method, \$1 billion of SNAP benefits generates 10,854 jobs (divide 1,085,355 jobs by \$100 billion). With the FANIOM type III multiplier, the jobs impact from \$1 billion of SNAP benefits is 17,900 FTE-jobs plus self-employed (table 1). The jobs impact from the FANIOM model is 65 percent larger than the CEA jobs impact. It is not clear what job measure CEA uses (FTE-jobs or FTPT-jobs) and whether it includes the self-employed, but the more comprehensive jobs measure is the FTE-jobs plus self-employed. The FANIOM type II jobs impact is 33 percent (FTE jobs) larger than the CEA estimate, while the type I jobs impact is 18 percent

(FTE jobs) smaller than the CEA jobs impact estimate. The type III multiplier is most similar to the multiplier process in a macroeconomic model where consumption depends on income derived from all sources, labor, and capital. The difference in the jobs impact from these two types of models is significant enough that it needs some explanation and discussion as to how the estimates might be reconciled.

The difference in the jobs impact estimates is from differences in (1) the magnitude of the GDP multiplier and (2) the jobs-to-GDP (production) ratio. First, the 1.79 type III GDP multiplier is 15 percent more than the CEA 1.56 multiplier. The CEA multiplier was derived for government expenditures in general, whereas the FANIOM multiplier is for SNAP benefits, which are likely to be larger since SNAP recipients tend to spend all the benefits quickly. Multiplier estimates for other types of government expenditures from Zandi (2008a) support a larger multiplier for SNAP. Increasing the CEA multiplier from 1.56 to 1.79 would increase the CEA jobs impact to 12,500 jobs per \$1 billion of SNAP benefits, a 15-percent increase. This reduces the gap between jobs-impact estimates from 65 percent to 43 percent. Differences in household saving and tax rates between models could also contribute to the difference in multipliers, but these are difficult to check without detailed information about the macroeconomic model (which is not readily available). Features of a macroeconomic model that do not affect an IOM model could also reduce the GDP multiplier effects relative to the IOM multipliers. These offsets include price and interest rate effects. But, given the assumptions about underemployed resources and accommodating monetary policy to hold interest rates low, the multipliers from Zandi and Romer/Bernstein are unlikely to be reduced by the offsets.

A second reason for the difference in estimated jobs impact is that the change in number of jobs corresponding to a change in GDP is smaller in the CEA analysis than with the FANIOM model.<sup>7</sup> The CEA analysis starts with the assumption that 1 million jobs are generated from a 1-percent increase in GDP. The FANIOM type III multiplier results in 1.44 million more jobs (FTE-jobs plus self-employed) from a 1-percent increase in GDP, a 44-percent larger jobs impact. Though CEA does not document how they arrived at 1 million jobs per 1-percent increase in GDP, empirical analysis of the historical relationship between changes in the number of jobs relative to a change in GDP undoubtedly underlies this assumed value. CBO (2009c, 2009d) reports a similar ratio between changes in GDP and jobs. They use an empirical estimate of “Okun’s Law” (Knotek, 2007) to calculate a change in the unemployment rate given a macro forecast on GDP, and then derive a change to employment from the change in the unemployment rate.

To approximate the ratio of change in the number of jobs to a 1-percent change in GDP, figure 5 displays the quarter-to-quarter change in the number of employees (BLS, Current Employment Statistics, nonfarm payroll employees in thousands) as a ratio to the percent change in real GDP from 1979 to 2009. An average of these ratios is one estimate of the change in jobs as a ratio to the change in GDP. For the first quarter of 1979 (1979-1) through 2009-1, the average ratio is 710,000 jobs per 1-percent change in GDP.<sup>8</sup> If the quarters 2000-3 to 2003-2 are excluded, the average ratio becomes 851,000 jobs per 1-percent change in GDP. The 2000-3 to 2003-2 time period includes the 2001 recession and a period of unusually slow job

<sup>7</sup>IOM models use an average jobs-to-production ratio to calculate the jobs impact from a production multiplier. The IOM model also calculates the change in GDP so it is possible to calculate a ratio of the change in jobs to a change in GDP. A difference in the employment measure for the number of jobs could contribute to the difference in the jobs impact, but it is not clear since the CEA does not define how employment is measured. The difference is likely to be 10 percent or less.

<sup>8</sup>Extreme values for three quarters are excluded (1990-3, 2007-1, and 2007-4). The employment measure does not include agricultural labor and self-employed, so it undercounts the change somewhat.

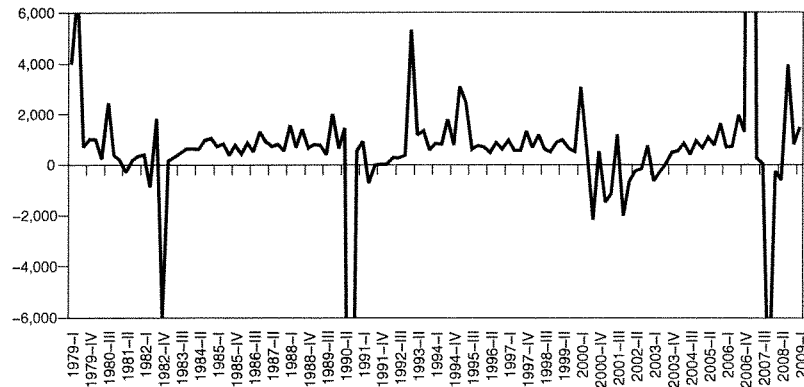
recovery following the recession (Groshen and Potter, 2003). Over a shorter and more recent timeframe of 1992-1 to 2009-1, the average ratio is 973,000 jobs per 1-percent change in GDP when excluding the 2000-3 to 2003-2 period, or 703,000 jobs when including it.

An analysis of quarterly data suggests that the historical relationship between change in jobs and change in GDP is comparable to or somewhat less than 1 million jobs per 1-percent change in GDP. This supports the CEA jobs impact relative to the larger jobs impact with the type III multiplier from the FANIOM model. The empirical analysis calls into question the use of an average jobs-to-production ratio to calculate the jobs impact from a change in production, as conducted in the FANIOM and other IOM models. One explanation for a smaller jobs impact is that an increase in production activity by existing businesses will increase the number of production-workers only since nonproduction workers such as managers and support staff like accountants are already working and will not be affected by the increased production activity (see appendix 1 for a definition of production-workers). This is a different situation than a new business hiring all types of new workers, and can explain how a change in jobs to a change in GDP (production) is smaller than an average jobs-to-GDP (production) ratio.<sup>9</sup>

Exploratory analysis with the FANIOM model modifies the jobs impact estimate by allowing only production workers plus the self-employed to respond, which leads to smaller induced effects from earnings by a smaller number of new workers, and smaller type II and III multipliers. The increase in production workers is calculated, as with other employment measures, by multiplying the change in industry production by the industry ratio of production workers plus self-employed to production. The increase in labor

<sup>9</sup>Tschetter (2010) uses an average jobs-to-production ratio to calculate the number of jobs that support U.S. exports and distinguishes the estimate from what would be the number of jobs associated with a change in exports.

Figure 5  
**Quarterly change in employment per 1-percent change in real GDP, 1979-2009**  
Jobs per 1-percent change in GDP



Source: ERS calculations from BEA-NIPA data on GDP and BLS data on CES employment.

Table 2  
Economic effects from the estimated increase in SNAP benefits for 2009

	FANIOM		FANIOM		CEA	
	FTE jobs + self-employment impact		Prod-jobs + self-employment impact			
	GDP, \$ bil	# jobs	GDP, \$ bil	# jobs	GDP, \$ bil	# jobs
From \$1 billion of SNAP benefits	1.79	17,900	1.34	12,500	1.56	10,854
From total increase in SNAP benefits	27.642	275,958	20.658	192,708	24.050	167,332
From caseload increase	19.014	189,823	14.210	132,558	16.543	115,103
From maximum benefit adjustment	8.628	86,135	6.448	60,150	7.507	52,229

Source: ERS calculations.

income is calculated by multiplying the increase in production workers plus self-employed by an average industry wage, which is set by dividing total industry labor income (including proprietors' income) by total industry employment (FTE-jobs plus self-employed).

The type II production and GDP multipliers are 2.36 and 1.12 when only production workers plus self-employed adjust, down from 2.67 and 1.45 when all jobs adjust (see table 1, FTE plus self-employed). The type III production and GDP multipliers are 2.84 and 1.34 respectively, down from 3.31 and 1.79 when all jobs adjust. For the type II multiplier, the jobs impact is 10,400 production workers plus self-employed per \$1-billion increase in SNAP benefits, while the jobs impact for the type III multiplier is 12,500 production workers plus self-employed per \$1 billion of SNAP benefits. This jobs impact is only 15 percent larger than the CEA jobs impact estimate of 10,854 jobs per \$1 billion of government expenditures, while the jobs impact from the type II multiplier is essentially equal. But now the type III GDP multiplier is about 15 percent less than the CEA multiplier (table 2).

Table 2 summarizes the estimated GDP and jobs impacts for \$1 billion of SNAP benefits and for the CBO (2009a,b,d)-estimated increase in SNAP benefits in 2009 (see table in box, "SNAP Response to the 2008 Recession"). The total increase in SNAP benefits is derived both from the increase in case-loads and from the 13.6-percent increase in the maximum benefit amount. The first two columns in table 2 are the GDP and jobs impact from the FANIOM model with the type III multiplier and full jobs adjustment. The fifth and sixth columns are the GDP and jobs impact using the CEA method. Relative to the CEA method, the type III multiplier from the FANIOM model has a 15 percent larger GDP multiplier and a 65 percent larger jobs impact. The third and fourth columns are the GDP and jobs impact from the FANIOM model when only production workers plus self-employed adjust. In this case the jobs impact from the FANIOM model is 15 percent greater than the CEA jobs impact, but consistent with a CEA jobs impact if the GDP multiplier were 15 percent larger (increased from 1.56 to 1.79). From the perspective of consistent results, the GDP multiplier from the FANIOM model falls to 1.34 when only production workers plus self-employed adjust.

### Limitations of an IOM Model

The underlying assumptions of an IOM model impose limitations on using the model to analyze the economic effects from a fiscal stimulus. Limitations include those due to the IOM model's linear structure and use of average coefficients. Also, an IOM model does not allow for price effects, interest rate effects, or several other economic adjustments that could arise in response to a fiscal stimulus and reduce the multiplier effects relative to those from an IOM model. These economic adjustments to a fiscal stimulus are designed into macroeconomic models. Depending on economic circumstances and specification of these adjustments in a macroeconomic model, these models can result in multipliers that are as large as the GDP type III multiplier from an IOM model (offsetting factors have little to no effect on the multiplier), or they can result in multipliers that are zero because economic adjustments fully offset the multiplier effects from an IOM model.

### Linear Structure of the IOM Model and Fixed Prices

The linear structure of an IOM model results in the same multiplier for any magnitude of exogenous change to a specific component of final demand. So, for instance, the linear structure of the model allows the 1.79 type III GDP multiplier calculated from a \$1-billion change in SNAP benefits to be used to estimate the GDP impact from a change in SNAP benefits of any magnitude. Of course, this cannot be true for all magnitudes of change in SNAP benefits, for at some magnitude of change the underlying assumptions of the model will be violated. For instance, an IOM model assumes that the exogenous change in demand affects the demand and supply of goods and services, and not prices. For this to occur, the resources for increasing production—namely labor and production capacity—must be available. If resource constraints exist, then the increase in demand will cause prices to increase, reducing the multiplier effects on production, GDP, and employment.

Key economic conditions of an economic downturn include high unemployment, low utilization of production capacity, and low inventory levels. Under these conditions, an increased demand for goods and services from government expenditures will stimulate production rather than simply causing pressure on prices or a rundown of inventories. They are the economic conditions for which an IOM model is appropriate for calculating the multiplier effects of government expenditures. Excess capacity and high unemployment during the 2008 recession suggest that the economy can absorb the new demand from the fiscal stimulus package with little or no price effects. Inventory reduction since mid-2008 suggests that new demand for goods will stimulate new production activity.

### Use of Average Coefficients From Base-Year Data

The parameters of the linear IOM model are calibrated with data from the input-output accounts, NIPA, and employment measures. The coefficients are average values from data in a base year, but they are used to determine the change to an endogenous variable in response to a change in the exogenous variable, which is a marginal change. Ideally, marginal coefficients should be



used in the model, but in most cases either the average coefficient is a good approximation to a marginal coefficient or there is not enough information to reliably estimate a marginal coefficient. Still, there are situations where the distinction between an average and marginal coefficient is important and it may be preferable to replace an average coefficient in the model with a marginal coefficient. An example is the use of average jobs-to-production ratios in estimating the jobs impact from an increase in economic activity (production or GDP). When an IOM model is used to assess the jobs impact from a business startup, the business can be expected to hire an industry average number of jobs per unit of production. If a business is already in operation and receiving additional orders, a marginal jobs coefficient may be more appropriate. It may not be necessary to hire as many new workers as are used on average, since occupations such as managers and support staff may not take on additional work. One way to approximate a marginal jobs coefficient is to allow an expansion of production workers only as production increases.

Household consumption coefficients as well as tax and savings rates are other examples where average coefficients could be improved upon with marginal coefficients if available. Average consumption coefficients are the share of total household expenditures spent on each good and service in the personal consumption expenditures data of the input-output accounts. Average tax and savings rates are calculated from NIPA data on how much households save or pay as tax during the year relative to average household income during the year. For an increase in income or SNAP benefits, the change to consumption, savings, and taxes may be more or less than the average. Specification of marginal consumption, tax, and savings rates from empirical studies of household behavior is worth pursuing, but beyond the scope of this report.<sup>10</sup>

#### **Budget Deficits, Interest Rate Effects, and Monetary Policy**

Government borrowing to finance fiscal stimulus expenditures may compete with private sector borrowing on financial markets. This can put upward pressure on interest rates, which can reduce business investment and interest-sensitive household purchases such as homes and durable goods. This financial market effect from deficit spending is referred to as crowding out, and may partially offset the multiplier effect of the fiscal stimulus. At issue is how much interest rates will rise in response to government borrowing, and how much business investment and household expenditures will fall in response to the rise in interest rates (Blinder and Solow, 1973; IMF, 2002).

The CBO (2005) summarized the literature to find that a “sustained increase in the federal deficit amounting to 1 percent of GDP raises interest rates by roughly 20 to 60 basis points, with the weight of the evidence around 30 basis points,” concluding that, “Overall, the effects of federal deficits on interest rates are small” (p. 4). At the same time, there is a need for a commitment to medium-term fiscal sustainability to accompany any short-term fiscal stimulus (IMF, 2008). If the fiscal stimulus is seen by markets as compromising fiscal sustainability, it can lead to rising real interest rates.

<sup>10</sup>A related model extension is to disaggregate households into different types of households, where expenditure patterns and the distribution of labor and capital income from the induced effects may differ by household type.

As for the impact of interest rates on investment, empirical evidence suggests that business investment is determined more by expected output growth than by user cost of capital (Chirinko, 1993; 1999). Furthermore, when the economy is in recession, interest rates are low, so an increase in interest rates will not be the most significant factor in the business investment decision. Household demand for housing is highly sensitive to interest rates, and normally it would fall due to higher interest rates. Zandi (2008a) suggests that, during the 2008 recession, the interest rate effect on housing demand was muted given other housing market problems.

Overall, the empirical evidence suggests that crowding out during a recession is not significant. Still, as the government's accumulated debt rises, it can and will eventually raise interest rates. It is important that the government maintain a longrun plan for debt management.

Other features of the economy can eliminate or at least reduce crowding out of investment, as when the Federal Reserve uses an accommodative monetary policy that holds interest rates steady while the government borrows to finance deficit spending. This was done during the 2008 recession. Crowding out is also a non-issue when interest rates are near zero and the excess funds in the financial system are not being used by private businesses. Under this circumstance, government borrowing to finance deficit spending will not cause interest rates to increase enough to affect investment (Blinder, 2006; Krugman, 2005; Feldstein, 2009). Zandi (2009) suggests that Federal borrowing to finance the stimulus will not lead to excessively higher long-term rates while private bond issuance is depressed, as in the 2008 recession.

### Household Savings

Government expenditures as a fiscal stimulus during an economic downturn are funded through government borrowing or deficit spending. At some point in the future, the borrowed funds need to be repaid. Higher income households may expect taxes to be raised in the future to reduce the deficit. And some of these households may increase savings and reduce spending when the government is trying to stimulate the economy with deficit spending, which will reduce the multiplier effects from the fiscal stimulus. These households are considered to be forward-looking with rational expectations and make current consumption-savings decisions in the context of permanent income, or the discounted present value of lifetime income. Other households, for reasons such as myopic expectations and liquidity constraints, make current consumption-savings decisions in the context of current disposable income. They do not reduce current consumption in anticipation of higher taxes, which allows the multiplier effects from the fiscal stimulus to occur.

How households form expectations and make consumption and savings decisions are important features of a macroeconomic model and significantly affect the multiplier from a fiscal stimulus (Bernheim, 1989). The bulk of empirical research finds that household consumption is more sensitive to current income than the permanent income hypothesis would imply (Elmendorf and Mankiw, 1999; Blinder, 2006; Gale and Orszag, 2004). Other studies support the notion of forward-looking households that are

free of liquidity constraints (Taylor, 2009). Still, most empirical evidence suggests that the effect of deficit spending on savings and consumption will not significantly reduce the multiplier effects.

## Conclusion

The Food Assistance National Input-Output Multiplier (FANIOM) model can be used to provide a systematic exploration of the multiplier effects on economic activity from an exogenous change in final demand. Different types of multipliers (types I, II, and III) can be estimated for various economic variables (e.g., production, GDP, and jobs). This allows the modeler to use the multipliers that are appropriate to the issue being addressed and to compare them to ones calculated by other IOM models and macroeconomic models.

SNAP benefits are a fiscal stimulus whose effects on the economy can be measured with the FANIOM model as multiplier effects. For SNAP benefits, the FANIOM GDP Type III multiplier of 1.79 is an appropriate update for the 1.84 multiplier reported in Hanson and Golan (2002), which is often cited as \$9.20 (or \$9) of economic activity generated from \$5 of SNAP benefits. Though the two multipliers are different—one is a type III multiplier for GDP (1.79) and the other is a type I multiplier for production (1.84)—they each express an overall impact on economic activity. The type III GDP multiplier is a comprehensive multiplier that accounts for the direct, indirect, and induced effects from labor and capital income, and is equivalent to a GDP multiplier from macroeconomic models. The Hanson and Golan (2002) multiplier of 1.84 should be replaced with the new FANIOM model result, such that \$1.80 of economic activity (GDP) is generated from \$1 of SNAP benefits (rounding off). Essentially, the multiplier estimates are the same, but based on an improved model that uses more recent data.

The GDP multiplier of 1.79 is close to that estimated for SNAP benefits by Zandi (2008a) using a macroeconomic model (1.73). Though larger than the 1.56 multiplier estimated by Romer and Bernstein (2009) for government expenditures, the new GDP multiplier is not inconsistent with it when taking into account the multiplier effects from different types of government expenditures. A weighted average of multipliers from Zandi (2008a) is 1.50, where the SNAP multiplier is 1.73 and the multipliers for other types of government expenditures are lower. The GDP multiplier from the FANIOM model reconciles well with the multipliers from these analyses using macroeconomic models.

Jobs impact estimates from the FANIOM model range from 9,000 to 18,000 FTE-jobs plus self-employed per \$1 billion of SNAP benefits, with the range varying by type of multiplier. Ideally, the larger jobs impact (17,900 in table 1) would be used in analysis that uses the corresponding 1.79 type III GDP multiplier. This jobs estimate of 17,900 corresponds to 1.44 million jobs per 1-percent change in GDP, but empirical analysis of quarterly GDP and employment data suggests that between 700,000 and 1 million jobs are generated per 1-percent change in GDP. This range is consistent with the findings from several macroeconomic models that have been used to estimate the jobs impact from ARRA expenditures (U.S. EOP, CEA, 2010, p. 26, table 8). Romer and Bernstein (2009) assume 1 million jobs are generated from a 1-percent change in GDP, which amounts to 10,850 jobs per \$1 billion of government expenditures given their 1.56 GDP multiplier. The higher jobs impact from an IOM model is an issue that needs to be resolved if the type III multiplier is to be used to assess the jobs impact from ARRA

expenditures. Until that issue is resolved, it seems most appropriate to use the jobs impact from the type I multiplier: 9,000 FTE-jobs plus self-employed or 10,000 FTPT-jobs plus self-employed per \$1 billion of SNAP benefits. These jobs impact estimates are more consistent with those estimated using the CEA-recommended method.

In an IOM model such as FANIOM, the jobs impact is calculated by multiplying the average jobs-to-production ratio by the change in production that occurs in response to the fiscal stimulus. This method of calculating the jobs impact assumes that new workers are hired for all occupations in a business in proportion to average industry employment. Another possibility is that only additional production-workers are hired as production increases. Additional nonproduction workers such as managers and support staff (e.g., accountants) may not be hired as production increases.

As an experiment, the FANIOM model was modified to allow only production-workers plus self-employed to adjust in response to a fiscal stimulus. In this case, the jobs impact for the type III multiplier is 12,500 jobs for \$1 billion of SNAP benefits. This jobs impact estimate is only 15 percent larger than the CEA estimate of 10,850 jobs. Given the smaller jobs impact, the induced effect from labor income is smaller, reducing the type III GDP multiplier to 1.34, which is about 15 percent less than the GDP multiplier of 1.56 estimated by Romer and Bernstein (2009). This experiment shows promise and merits further exploration.

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## Appendix 1—Employment Data by Industry

Employment data by industry consist of:

FTPT-jobs: count of hired full-time plus part-time workers;

FTE-jobs: count of hired full-time equivalent workers;

Self-employed: count of proprietors or self-employed;

Prod-jobs: count of production workers as distinct from nonproduction workers.

Data on FTPT-jobs for non-agriculture industries are derived by combining data from the BEA Regional Economic Accounts, State Personal Income and Employment tables with BLS employment projections (based on historical data on industry employment). The BLS employment projections data use the BLS, Current Employment Statistics (CES), while providing more detail for some industries such as construction and government and including a few data adjustments relative to the CES data.<sup>1</sup> The BLS data are used to disaggregate the more aggregated BEA industry employment data. It is possible to use the BLS industry employment data and get similar industry employment numbers for most industries, but BEA makes a few additional data adjustments that improve the count of FTPT-jobs in some industries.<sup>2</sup>

Agriculture includes 10 crop production industries (NAICS 111), four animal production industries (NAICS 112), and an industry of support activities for agriculture and forestry (called agricultural services, NAICS 115). For the two groups of farm industries (crop and animal production), the aggregate count of FTPT-jobs is from the BEA Regional Economic Accounts (870,000 hired workers). This count is similar to the count of 880,500 from USDA-NASS (see Farm Labor publication) and the count of 811,000 from USDA-ERS (see ARMS survey data).<sup>3</sup> The BEA aggregate farm employment count is distributed among the ten crop production sectors and four animal production sectors with data on hired labor from USDA-ERS, ARMS survey.

For the count of FTPT-jobs in the agricultural services industry, data from BLS, Quarterly Census of Employment and Wages for all employees in the private sector are used.<sup>4</sup> The count of FTPT-jobs is 309,000, which is in between the count of 581,000 in the BEA Regional Economic Accounts and the USDA-NASS count of 232,000, and significantly larger than the BLS employment projections count of 97,000. The BLS projections count is smaller since it is derived from the count of workers who report that agricultural services is their primary occupation in the Current Population Survey—it is likely that some of these workers have other occupations that may be reported as primary. It is not clear which of the other three sources for a count of FTPT-jobs in agricultural services is best so the middle value is used.

Data on FTE-jobs by industry are derived from the count of FTPT-jobs and a ratio of FTE-jobs to FTPT-jobs from BEA, NIPA tables 6.5 and 6.4 on industry employment as FTE and FTPT. Essentially, the NIPA data are at

<sup>1</sup> For BEA data see table SA27-wage and salary employment by industry, <http://www.bea.gov/regional/spi/>. For BLS data see the database for national employment, all employees, <http://www.bls.gov/ces/>. For BLS employment projections, see historical data on industry output and employment, <http://www.bls.gov/emp/empind2.htm>.

<sup>2</sup> See BEA Regional Economic Accounts: Methodologies, Local Area Personal Income and Employment Methodology for more details on the data adjustments, <http://www.bea.gov/regional/docs/lapi2007/>.

<sup>3</sup> For USDA-NASS data, see <http://usda.mannlib.cornell.edu/MannUsda/viewDocumentInfo.do?documentID=1063>. For USDA-ERS data, see <http://www.ers.usda.gov/Briefing/ARMS/>. The BLS-CES data do not include employment for the agricultural industries, while the BLS employment projections data have a count of 1,010,000 hired workers for the farm sector. The larger value from the BLS data seems to compensate for a low count of hired workers in the agricultural service industry. For this reason, the BLS data are not used.

<sup>4</sup> See <http://www.bls.gov/cew/home.htm>.

3-digit NAICS, whereas the industry detail in the input-output accounts can be at 6-digit NAICS for some industries, so the same ratio is used for groups of industries.

Data on the count of self-employed persons by industry for nonfarm industries are taken from the BLS employment projections data. The data are the count of self-employed plus unpaid family workers by industry and are derived from the Current Population Survey. The 10.047 million total self-employed (including farmers) in the BLS projections data compares well with the total in the BEA NIPA data (table 6.7) of 9.963 million. The BEA notes that the count includes active proprietors or partners who devote a majority of their working hours to their unincorporated businesses. How partners are counted makes a significant difference in comparison with the BEA Regional Economic Account data where the self-employed count is much larger at 29 million because it includes all partners no matter how active they are in the business. For this reason the BEA regional data are not used. The count of self-employed for the farm industries are from the USDA-ERS ARMS survey data. The 1.781 million aggregate count for farm self-employed is almost twice the aggregate count of 0.945 million from the BLS employment projections data. The difference is due primarily to the ARMS data including proprietors who have other jobs that may be their primary occupation, whereas the BLS self-employed data are a count of proprietors who treat farming as their primary occupation.

The aggregate counts of the employment measures are comparable to published numbers in the BEA NIPA tables. The 137.653 million FTPT-jobs are slightly larger than the aggregate count of 136.578 million in the BEA NIPA table 6.4 for domestic industries. The 124.053 million FTE-jobs compares well with the aggregate count of 123.312 million in the BEA NIPA table 6.5. The 10.882 million self-employed workers are larger than the aggregate count of 9.963 million in the BEA NIPA table 6.7, due primarily to the treatment of self-employed farmers.

Production workers (prod-jobs) are distinguished from nonproduction workers in the BLS, CES survey data and in the historical database developed for BLS employment projections. In these databases, a production worker is not identical with the production occupation in the standard occupation classification system, but includes workers in this occupational category. Production workers in the CES and employment projections data are those workers directly involved with the production activity of the business. In the service industries, production workers exclude supervisory employees and owners. In goods-producing industries, production workers also exclude other categories of occupations that are not directly involved in production. This would include support staff such as accountants, secretaries, and administrative assistants. The distinction is not as precise as the distinction among standard occupational categories, but can still be useful for some types of economic analysis. The production-nonproduction workers are distinguished by industry at the 3- to 4-digit NAICS codes. On average, they account for about 75 percent of total jobs. In the FANIOM model, a percent of all FTE-jobs that are production jobs is calculated by industry. Also, 65 percent of the self-employed by industry are combined with the production workers for the employment measure "prod-jobs plus self-employed."

## **Appendix 2—Reallocating Proprietors' Income From Capital to Labor Income**

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Proprietors' income is a part of industry operating surplus (capital income) in the input-output accounts. For this report, proprietors' income is taken out of capital income and added to labor income. This reallocation is consistent with the treatment of proprietors as labor and earning a return on their labor. In consequence, an increase in labor and labor income from a fiscal stimulus will involve an increase in work by proprietors and the income they receive from this work. Reallocating proprietors' income from capital income to labor income will affect the induced effects in the multiplier process. Both IMPLAN and RIMS II input-output multipliers include this reallocation of proprietors' income from capital income to labor income.

To reallocate proprietors' income in the input-output accounts from capital income to labor income by detailed industry, it is necessary to disaggregate the more aggregate industry data on proprietors' income from BEA NIPA table 6.12. This report uses detailed industry data on the number of proprietors by industry to disaggregate proprietors' income. As a result, all proprietors' income is treated as a return to labor, which is not a bad approximation since proprietors' income is net of consumption of fixed capital (depreciation), which can be treated as a return to capital and is included in the capital income of the input-output accounts. Proprietors' income is about 20 percent of capital income and about 12.6 percent of labor income.

### **Appendix 3—Food Assistance National Input-Output Multiplier (FANIOM) Model**

The FANIOM model is programmed in the GAMS software where it is treated as a system of simultaneous equations (Brooke et al., 1992). Model parameters are calibrated to data from the 2002 Benchmark Input-Output Accounts data, National Income and Product Accounts, and measures of employment from various sources. The model is solved either as a system of simultaneous equations (PATH solver) or as an optimization problem where the change in industry production squared is treated as an objective function to be minimized subject to the system of simultaneous equations (MINOS or CONOPT solver). Still, the solution values are not affected by the choice of solution algorithms, nor by the use of GAMS instead of some other software to solve the IOM model. The advantage of using the GAMS software is in the specification of the model as a system of algebraic equations. This is particularly helpful in the treatment of the induced effects for labor and capital income, and for calculating the domestic multiplier effects by adjusting for the import share of demand. GAMS syntax provides flexibility in how these features of the IOM model are specified. For instance, the induced effects from labor income with only production workers adjusting is a straightforward modeling specification given the data.

The multiplier measures are calculated from the model solution values for industry production, GDP or value added, and employment. The change in the value of production, GDP, and employment from the initial base value relative to the exogenous change in final demand is the multiplier. Each type of multiplier (types I, II, and III, with or without import adjustment) is derived from a different model and solved separately in a sequence of model statements and solve statements. Summary reports of the results from the sequence of model solutions are easy to prepare.

Listed below are the variables, parameters, and model equations for the type III multiplier with import adjustment. The type III multiplier includes direct, indirect, and induced effects from labor and capital income, and an adjustment for imports that reduces the share of domestic demand that is fulfilled by domestic production. Specification of a few key parameters is also listed below. Value added/GDP and employment are not treated as variables, but are calculated from base ratios with industry production.

To clarify some of the model notation, uppercase names are endogenous variables and lowercase names are parameters. GAMS code is in terms of set notation. Industry-commodity set notation is “ic” and equivalently “jc.” Industries and commodities are not distinguished in the set notation but they are distinguished in the input-output account make-and-use matrices as well as industry production, value added, and final demand.

There are subsets of “ic”: “icmyes” is for industry-commodity where imports exist, “icyes” is for industry-commodity where production occurs, while “icnot” is where no production occurs. In the benchmark input-output accounts, there are several special industries-commodities that do not involve domestic production, and they are given special treatment in the input-output multiplier model so that change in final demand equals change in value added

(see second-to-last equation). The special sectors are noncomparable imports (s00300), used goods (s00402), and rest-of-world industry (s00900). The last equation is a quadratic objective function that minimizes the squared change in industry production that occurs from an exogenous change in final demand ("dfd(ic)").

**Variables:**

XDUP(ic)	Industry production
XDCOMUP(ic)	Commodity supply from domestic production
XXDCOMUP(ic)	Domestic commodity supply from domestic production
INTUSEUP(ic)	Intermediate use of (domestic and imported) commodity
FDUP(ic)	Final demand for commodity
IMPORTUP(ic)	Imports by commodity
CDUP(ic)	Household consumption by commodity
YHCON	Household income spent in consumption
YHGROSS	Household gross income
INCTAX	Household income tax
SAVINGS	Household savings
YHLABNET	Household income from labor net of labor tax (soc-sec & medical)
YHCAPNET	Household income from industry capital income (operating surplus)
VALABUP(ic)	Industry labor income including proprietors' income
VACAPUP(ic)	Industry capital income or operating surplus net of proprietors income
ADJIOC(icnot)	Non-producing industry dummy variable
OBJIOM	Objective function value

**Parameters:**

iomc(ic,jc)	Make matrix, industry ic making commodity jc
iouc(ic,jc)	Use coefficient matrix, use of commodity ic by industry jc
export(ic)	Export of commodity ic
gd(ic)	Government demand, exogenous
invfxd(ic)	Fixed investment
dst(ic)	Inventory change
dfd(ic)	Exogenous change in final demand
mtoxratio(ic)	Import to x ratio, where x is domestic demand (intermediate plus final)
cdsh(ic)	Share of household income consumed on commodity ic
yhgovtrn0	Government transfer income to households
yhoth0	Other income to households
inctaxr	Household income tax rate, calculated from NIPA data



savr	Household savings rate, calculated from NIPA data
labtaxr	Labor tax for Social Security and Medicare, calculated from NIPA
data alabr(ic)	Ratio of industry labor income (include proprietors' income) to industry production
vacapr(ic)	Ratio of industry capital income (operating surplus) to industry production
yhcapfrac	Fraction of capital income that households receive, calculated from NIPA data
vat0	Total value added or GDP, summed over all industries from input-output account

**Specification of Key Parameters for Multiplier Calculations:**

XXDCOM(IC)	=	INTUSE(IC) + FD(IC) - IMPORT(IC)
MtoXratio(IC)	=	IMPORT(IC)/(INTUSE(IC) + FD(IC))
FD(IC)	=	CD(IC) + GD(IC) + INVFXD(IC) + DST(IC)
VALABR(IC)	=	VALAB(IC) / XD(IC)
VACAPR(IC)	=	VACAP(IC) / XD(IC)
JBR(IC,iemp)	=	JOBS(IC,iemp) / XD(IC)

*Consumption adjusted for trade and transportation margins*

CDTT(ICTT)	=	SUM(IC, IOMARGFD(IC,"F01000",ICTT) )
CDMRKT(IC)	=	CD(IC) - CDTT(IC)
CDMRGR(IC,ICTT)	=	IOMARGFD(IC,"F01000",ICTT) / CDMRKT(IC)
CDPURCH(IC)	=	CDMRKT(IC)*(1+SUM(ICTT, CDMRGR(IC,ICTT)

*Income data and calibration*

yhlabnet0	=	(1-labtaxr)*sum(ic, valab(ic) )
yhcap0	=	yhcapfrac * sum(ic, vacap(ic) )
labtaxr	=	labtax0 / sum(ic, valab(ic) )
yhcapfrac	=	0.467
yhgross0	=	yhcon0 + inctax0 + savings0
yhcon0	=	sum(ic,cd(ic) )
inctaxr	=	inctax0 / yhgross0
savr	=	savings0 / ((1-inctaxr)*yhgross0)
yhoth0	=	yhgross0 - yhlabnet0 - yhcapp0 - yhgovtrn0

## PIGFORD II SETTLEMENT PAID VIA WIC

Mr. Kingston: "Your testimony makes note of the increase in the poverty rate and states "we cannot compete and win the future if our people are hungry, our children are poorly nourished, or new mothers and newborn infants do not have what they need for a healthy start.". I cannot disagree with this statement, but I cannot understand why the Administration then offered up \$562 million in WIC funds approved by this Committee to pay for the Pigford II settlement.

Can you explain to me why USDA thought that funding for Women, Infants, and Children was the most appropriate place to take from?

Secondly, when I asked the Secretary why USDA offered up these funds, the response implied that the Department really had nothing to do with this and simply provided this Committee with a list of unobligated balances. Can you provide me with specifics on USDA's involvement with this decision to take funds from WIC to pay for a discrimination case?

Response: We were not privy to the decision-making process of Congress for the Pigford II settlement. WIC budget estimates are primarily driven by two factors: participation and food costs. In recent years, due in large part to the downturn in the economy, participation has been comparatively high, reflecting the strong need for this critical program. WIC had a higher than usual carryover balance from FY 2010 into FY 2011 because actual WIC participation in FYs 2009 and 2010 was not as high as was estimated at the time of the budget request for those years, resulting in lower program costs. This information was provided to the Secretary and subsequently to the Office of Management and Budget as well as the Congress prior to Congress' decision on Pigford II.

## HOME DELIVERY - SUMMER FOOD SERVICE - CAPE COD, MA

Mr. Kingston: In the FY10 Ag Appropriations Act, Congress added \$143 million to support a few specific school nutrition programs or initiatives. One provision provided \$85 million to study alternative means to deliver food to low-income children during the summer months.

USDA's response to this study was to propose two different programs - (1) to implement a Food Backpacks demonstration for kids to pickup at local sites, and the other (2) a Home Delivery program to serve rural communities. Interestingly enough, USDA awarded contracts related to these two programs. While USDA appears to have awarded contracts for the Backpack Program in rural areas, I see that USDA awarded one contract to the Cape Cod YMCA in the Home Delivery Demonstration program.

First, please explain how USDA can propose a Home Delivery Program that allows kids to never leave their home for these essential foods, especially when the Department is trying to address the problem of childhood obesity.

Secondly, how does USDA consider "Cape Cod" as a true test case for delivering foods to low-income children in rural areas? This one location is probably 5 miles from the Kennedy's Hyannis Port vacation home.

Response: The FY 2010 Agriculture Appropriations Act provided \$85 million to demonstrate improved approaches to summer feeding for low-income children, and to assess their impact on food insecurity among children. USDA is using this resource to create a variety of Summer Food for Children

demonstrations, which will explore and test a number of enhancements to the existing program over the next several summers.

*Enhanced Summer Food Service Program (SFSP) Demonstrations* will test changes to the existing structure and delivery mechanism of SFSP to determine if they lead to increased participation.

- Two initial demonstrations began in summer 2010: a project in Arkansas that provides incentives to extend the duration of SFSP operations, and a project in Mississippi that enhances the program with funding for enrichment activities.
- Two additional demonstrations: testing meal delivery in rural areas, and "backpack" food packages for consumption over weekends, will begin in summer 2011. Proposals for the two new Enhanced SFSP Demonstrations, the home delivery and food backpack demonstrations, were due December 15 and awards were announced in March 2011.

*Household-Based Alternative Demonstrations* will provide summer food benefits using SNAP and WIC electronic benefit transfer (EBT) technology as the delivery mechanism, to give low-income families with children more resources to use at food stores during the summer.

You questioned how USDA can propose a Home Delivery Program that allows kids to stay at home. We agree children should have the opportunity to be active, especially in the summer. USDA strongly encourages and promote physical activity through such initiatives as its HealthierUS Schools Challenge. The SFSP is designed to provide meals to children in a congregate setting and allows institutions the flexibility to determine their enrichment activities. Ideally, organizations provide summer recreation programs where children congregate and are provided activities during the summer months.

However, program cooperators have advised us that needy children go hungry in rural areas either because children cannot travel long distances to the sites, or because there are simply not enough children in the area of a site. The Home Delivery Program is designed to reach those children who cannot otherwise participate in the SFSP during the summer.

You also questioned how Cape Cod, an apparently affluent area, would be eligible for the Home Delivery Program. It should be noted that 11.5 percent of the population of Barnstable County has an income below 150 percent the FPG. In addition, while the Department is fully committed to addressing the unique challenges that rural areas face in utilizing the SFSP, the program operates in both rural and non-rural areas. Additionally, the FY 2010 Agriculture Appropriations Act explicitly authorized demonstrations in urban and rural areas.

Finally, the Cape Cod YMCA serves the Barnstable area, which meets the definition of "rural area". Without family or public transportation, children in rural areas may have no way to participate in congregate activities. Even though they may be located in affluent areas, needy children may remain hungry and isolated. The Cape Cod YMCA intends to serve 100-150 needy children meals over a 10 week period during the summer.

## USDA's RESPONSE TO FRAUDULENT PROVIDERS

Mr. Kingston: "When Inspector General Fong was here last month, she informed the Subcommittee that the OIG has continually recommended that USDA take action to address the bad actors in the SNAP and WIC programs. USDA OIG has identified a number of cases where SNAP and WIC providers have been found guilty of fraud. Any contractor working with the Federal Government that is found guilty of fraud or abuse is debarred and banned from business with the government via the GSA. It appears that FNS has a different policy.

As I stated at the OIG hearing, I am simply amazed that USDA did not suspend or debar 3,981 SNAP retailers found guilty of wrongdoing as recommended by the OIG.

Why has USDA failed to exclude those individuals or companies found guilty of defrauding the US Government in these nutrition assistance programs?

How can you allow this fraud to continue?

Can you commit to this Subcommittee that you will follow your own OIG's sound recommendation to weed out these bad guys?

Response: As of the end of fiscal year 2010, more than 216,000 retailers were authorized to accept SNAP benefits. Fraud is taken seriously. Retailers that violate Program rules are removed from participation in the Program, either permanently or for lesser periods, depending on the severity of the violation. USDA's Office of Inspector General (OIG) recommendations refer to a separate set of procedures for suspension and debarment from other government programs. SNAP has its own set of legal authorities provided by the Food and Nutrition Act that FNS uses for temporarily or permanently disqualifying vendors found guilty of fraud.

The time period covered in the testimony given by USDA's Office of Inspector General was 2004 through 2008. During that period the Food and Nutrition Service (FNS) permanently disqualified 3,891 stores from program participation for trafficking, which is the exchange of Supplemental Nutrition Assistance Program (SNAP) benefits for cash. That is, those owners are identified in the SNAP system and prevented from ever participating as a SNAP retailer again.

In addition to these retailers that were permanently disqualified, during the same time period (2004-2008), FNS temporarily disqualified (usually 6 months) another 2,851 stores for less serious program violations, such as the exchange of SNAP benefits for ineligible items.

Per Section 12, 7 U.S.C. 2021, of the Food and Nutrition Act of 2008, FNS takes reciprocal action against program participation if a firm is disqualified from SNAP or the Women, Infants, and Children (WIC) Program. FNS referred all 6,742 stores (3,891 permanent disqualifications plus 2,851 temporary disqualifications) disqualified during the time period specified by USDA's Office of Inspector General to WIC State Agencies for removal of any stores with dual participation.

Since that time, in fiscal years 2009 and 2010, FNS has disqualified an additional 1,824 stores permanently for trafficking, and 1,007 stores for shorter periods as a result of less serious program violations.

In sum, between 2004 and 2010, 5,715 retailers have been permanently disqualified from participation in SNAP and 3,858 retailers have received lesser disqualifications.

FNS is working with OIG on concerns expressed relative to suspension and debarment of the retailers disqualified from our programs. Suspension and debarment would involve additional processes to ensure that disqualified FNS retailers do not participate in any other government program(s). The reasons we have not applied the suspension and debarment process in the past to disqualified retailers include the following:

- o We had a legal opinion that suggested the FNS programs were not subject to the suspension and debarment provisions, in part because SNAP already had provisions for disqualification under the Food and Nutrition Act.
- o The Food and Nutrition Act provides FNS with the ability to remove retailers charged with trafficking from the Program immediately, with Administrative Review procedures taking place while the charged retailer is no longer in the Program. This is a potent tool that allows us to significantly limit the damage to the Program.
- o The procedures for disqualification of retailers under the Food and Nutrition Act differ from those under the suspension and debarment regulations, and can conflict with each other. For example, the suspension and debarment regulations would suggest notice and hearing must take place before a retailer can be debarred.
- o In addition, current SNAP regulations would prohibit sharing personally identifiable information, such as social security numbers, for this purpose.
- o We believe that retailers considered for disqualification in SNAP are generally not the kind of retailers that do business with other parts of the government. They tend not to be companies, but sole proprietorships that try to fly "under the radar". Almost all of our trafficking cases are with relatively small single proprietor stores or partnerships.

The preamble of the new Departmental regulation on debarment states that "noncovered transactions, for purposes of nonprocurement debarment and suspension, include participation as an authorized retailer in SNAP or as a retail vendor in the Special Supplemental Nutrition Program for Women, Infant and Children (WIC), because exclusion under this part is superseded by other law, i.e. comprehensive statutory disqualification provisions".

There are actually two requirements that are additional to our comprehensive disqualification procedures. The first is the suspension and debarment process and the second is an initiative from OMB regarding a "Do Not Pay" list. Both processes have the potential for adding significant workload to an already overburdened staff. However, the Agency recognizes the importance of sharing our determinations with other governmental entities that may be doing business with these vendors.

As a result, FNS will begin preparation of a plan to implement the requirement to share disqualified vendors in the Excluded Parties Listing System and provide access to vendor information for OMB's Do Not Pay list. Our intention would be to provide an electronic file periodically with pre-set characteristics to both initiatives. If it is determined that the Agency

must make the suspension and debarment determination, our desire would be to maximize efforts undertaken in our disqualification process and leverage them within the parameters of the suspension and debarment process. We trust that methods can be identified so that the requirements of the suspension/debarment initiative are satisfied, while not duplicating, or further complicating, on-going efforts by the Agency to disqualify vendors that violate program rules. We will work closely with OMB, the OIG, and the Department to coordinate our plans and implement the intent of the initiatives.

Mr. Kingston: What actions or proposed actions is USDA engaged in to reduce trafficking in the SNAP program? Specifically, how is FNS targeting and providing early oversight of stores most likely to traffic?

Response: FNS is committed to reducing the rate of SNAP trafficking and has taken aggressive measures to improve the early identification and oversight of suspected program violators.

Beginning in June 2007, FNS implemented a revised store classification system to systematically compare similar stores and better identify fraudulent transaction activity for investigation. In addition, FNS doubled the number of months of data available on-line to investigators and program analysts for purposes of analysis from six months to one year.

In December 2007, FNS received and processed daily transaction data into its ALERT fraud detection system. This has assisted FNS in early monitoring and identification of violating stores. FNS began to use data mining to target high risk areas, and we have, as resources allow, located investigators in those high risk areas or brought investigators in from other areas on a temporary basis.

As a result of a data mining project, in August 2009, FNS implemented a predictive risk assessment tool. The tool is integrated in FNS's front end system used to manage SNAP retailer participation and assigns each retailer a risk category of high, medium, or low; based on the likelihood that a retailer may commit program violations. Every retail grocery store's risk level is assessed at the point of application and if the store is approved, its risk level is re-assessed daily.

The risk assessment is granular, down to the zip code level, to ensure that smaller areas within large cities with historically high rates of violations are classified as high risk. This predictive indicator analyzes 18 characteristics for each individual store that are based on 10 years worth of Agency investigations as well as OIG/GAO audit findings, to ensure that FNS resources are focused on those stores that are the most prone to violate.

High risk retailers are prioritized by FNS's fraud detection system and are carefully scrutinized by Agency compliance staff. While making no assumption that any one store is trafficking based on this prioritization process, SNAP's risk profile tool has allowed the Agency to re-allocate resources towards retailers presenting the highest risk of non-compliance.

In January 2011, FNS implemented an automated and more robust screening process into its front end system. The new screening tool ensures that FNS effectively identifies retail store owners or store location addresses with a history of program violations for greater scrutiny and potential denial of participation.

Furthermore, in February 2011, FNS implemented a new training program to help investigators utilize open source information available on the internet to gather intelligence and ensure more effective approaches when targeting investigations.

#### IMPROPER PAYMENTS IN USDA NUTRITION PROGRAMS

On page 30-75 of USDA's FY 2012 Explanatory Notes, the Department admits that "[t]he school meals programs are currently incurring high levels of erroneous payments, and the Administration is seeking strong action to reduce them across the government."

Mr. Kingston: There are two major areas where we need to reduce any potential for fraud, waste and abuse: intentional and illegal activities and unintentional and improper payments. Because SNAP is USDA's largest program, both in terms of the dollars spent and the number of participants. OIG is already devoting about 40 percent of its investigative resources in FY 2010 to SNAP-related criminal investigations—its largest allocation of investigative resources.

OIG estimated that improper payments for the SNAP and school lunch programs cost taxpayers nearly \$2.2 billion for SNAP and \$1.5 billion for NSLP in FY 2009. Just to put this into perspective, these amounts could have funded the entire food inspection budget in this country that year.

What is FNS doing to ensure that USDA quickly addresses problem improper payments in these programs designed to provide basic nutrition assistance to those most in need?

Response: FNS recognizes its fundamental responsibility to promote effective program management and reduce and prevent improper payments, while providing easy access to benefits for the people we serve. That said, it is also worth noting the very low level of error in the Supplemental Nutrition Assistance Program (SNAP). Over the past decades, tremendous improvements in program operations have led to a less than five percent error rate in 2009, a record low for the program. While the Department takes its obligations to combat waste, fraud and abuse, the record low error rate in SNAP is a very positive story for the program.

FNS has taken several steps to ensure funds for the National School Lunch Program and School Breakfast Program are used as intended, including:

- Strengthening direct certification for school meals with grant funding for States with the lowest direct certification rates;
- Providing guidance and technical assistance to States and schools on the free and reduced price eligibility certification process;
- Conducting management evaluations for State agencies most at risk of problems in managing the school meal programs;
- Training and technical assistance for staff in every State agency to ensure effective monitoring of schools;
- Directing State agencies to make more thorough use of annual verification data; and
- Providing Administrative Review and Training (ART) Grants to States to improve the oversight of school meal programs.

Improving program performance and reducing improper payments was a goal throughout the child nutrition reauthorization process. As a result of the recent passage of the Healthy, Hunger-Free Kids Act of 2010, we are required to take the following additional actions that will help with reducing improper payments in school meal programs:

- Increase frequency of the State agency administrative oversight reviews of the school food authorities from one review every 5 years to once every 3 years;
- Further strengthen direct certification for school meals by encouraging improvement in direct certification rates through performance awards to high performing and improved States and continuous improvement plans for States that fail to meet statutory benchmarks;
- Provide alternatives to the paper application systems in low-income areas; and
- Require an independent review of applications in local educational agencies demonstrating a high level of administrative error.

In SNAP, program integrity consists of three distinct components. These are: combating recipient fraud; fighting trafficking; and reducing improper payments through quality control and payment accuracy efforts. USDA takes each of these areas very seriously.

First, FNS works with States to combat recipient fraud, which occurs when applicants purposely provide incorrect information to the State, leading to an improper determination of eligibility or failing to provide updated information, leading to an improper continuation of benefits. States are responsible for preventing this from happening and there are several tools available to States to combat this including data matching and verification.

In support of States' recipient fraud prevention efforts, FNS operates and maintains the Electronic Disqualified Recipient System (eDRS), a centralized national database which utilizes data submitted each month by all 50 States, the District of Columbia, Guam and the Virgin Islands. eDRS tracks individuals disqualified from participation in SNAP for fraud violations.

SNAP regulations require State agencies to establish recipient claims against any household that has received more benefits than it is entitled to receive. Claims fall into three categories: intentional program violation (fraud); inadvertent household error; or agency error. As an incentive, State agencies are entitled to 35 percent of fraud claims and certain inadvertent household error claims collected and 20 percent of the remaining household error claims collected. In FY 2010, State agencies established \$460 million in new claims and collected \$287 million.

Second, FNS fights illegal trafficking, which occurs when retailers discount SNAP benefits in order for recipients to convert their SNAP benefits into cash (e.g., 50 cents on the dollar). Trafficking has decreased significantly over the past 15 years. The first trafficking assessment in 1993 determined that \$811 million in program benefits were trafficked in fiscal year 1993. The most recent estimate, for the period 2006-2008, determined that trafficking diverted \$330 million in program benefits annually, or roughly, one cent of each benefit dollar.



The national implementation of electronic benefit transfer (EBT) as the issuance system for SNAP instead of paper coupons is credited in large part for the decrease in trafficking. Despite the significant decline in trafficking, USDA continues to implement aggressive measures to improve program integrity and detect and stop fraud.

SNAP uses a fraud detection system, the Anti-Fraud Locator for Electronic Benefit Transfer Transactions (ALERT) system, to monitor electronic transaction activity and identify suspicious retail grocers for analysis and investigation. To continue strengthening our fraud detection capabilities, USDA is redesigning the ALERT system with new, more advanced technology and analytical tools available in the private sector. A primary component in this redesign is engaging in continuous data mining efforts and integrating the results of those efforts into the ALERT system. The redesigned system is scheduled to be delivered to FNS for testing in 2012.

In addition, SNAP has a team of investigators across the country that conduct on-site reviews of stores suspected of trafficking or of not complying with program rules. In FY 2010, the Retailer Investigations Branch (RIB) has conducted over 5,000 investigations. All RIB staff members are involved in the process of enhancing the agency's overall effort to combat retailer fraud and manage retailers.

Third, FNS maintains a demonstrated Quality Control system that measures errors that took place in the course of determining household eligibility. State error rates, measured by the QC system, do not measure fraudulent activity. They may or may not involve fraudulent actions by the recipients, but more often than not, they are simply mistakes made during the complicated process of eligibility determination. These errors do result in financial losses (for overpayments) and financial gains (for underpayments) to the Federal Government. FNS has diligently worked with States to improve their error rates and achieved a record 95.64 accuracy rate in 2009.

"Payment accuracy" in SNAP refers to the Agency's efforts to ensure that all eligible applicants are certified to receive the proper amount of benefits.

USDA engages in multiple efforts to support payment accuracy in SNAP:

- Targets high issuance localities and high error rate States for enhanced Federal intervention and technical support;
- Provides leadership through interactions with State policy decision makers in multiple forums;
- Facilitates the commitment, involvement and collaboration among State partners and leadership at all levels;
- Sponsors the National Payment Accuracy Work Group (NPAWG), a team of experts from FNS national and regional offices, which convenes on a regular basis to monitor and evaluate payment accuracy progress, analyze error rate data, and exchange information on payment accuracy best practices and program improvement strategies;
- Supports a State Exchange Program to fund State agency travel for State to State sharing of successful strategies for improved SNAP operations and error reduction; and
- Works with States that incur payment error liabilities to structure settlement agreements for new investment of portions of the liability in activities specifically aimed at error reduction.

Mr. Kingston: What is FNS currently doing to monitor WIC's compliance with provisions of the Improper Payments Information Act and PMA?

Response: In support of compliance with the Improper Payments Information Act (IPIA), FNS conducts periodic, nationally-representative studies of overpayments and underpayments related to two key areas of program operations - vendor redemptions of WIC benefits, and certification of WIC participants. Errors in either of these processes can result in improper payments.

- The next study of WIC vendors is under procurement for award this year and will provide data for 2012. To provide the annual estimates required by the IPIA, FNS ages the data between these periodic studies using current data from The Integrity Profile database maintained by WIC, which provides the annual results of State investigations of WIC vendors.
- To measure certification errors among WIC participants, FNS's periodic studies of a sample of WIC participants include in-home audits to confirm certification status. The current National Survey of WIC Participants will be released later this year and provide IPIA estimates of WIC certification errors.

#### HONEST DISCUSSION ON IMPACT OF SAVINGS OR PROPOSED REDUCTIONS

Mr. Kingston: There has been a lot of misinformation going around every time we suggest reductions to costs in any of the nutrition programs. This week there was an article in the Op-Ed section of the New York Times entitled: "Why We're Fasting" by Mark Bittman. Mr. Bittman references the proposed reductions in H.R. 1 passed by the House in February and states *"These supposedly deficit-reducing cuts - they'd barely make a dent - will quite literally cause more people to starve to death, go to bed hungry or live more miserably than are doing so now."*

This Subcommittee checked with USDA and we were assured that even at the H.R. 1 level for the Special Supplemental Nutrition Program for Women, Infants, and Children, no current participants would lose benefits. USDA had sufficient funding at this level. There were no reductions to mandatory feeding programs and even in the Commodity Supplemental Food Programs - which serves 96 percent elderly - FY10 had more funds available in unobligated balances (\$8 million) and prior year recoveries (\$18.5 million) than the total proposed reduction for this program for H.R. 1.

For the record, can USDA inform the Subcommittee if anyone would "starve to death" or even be prevented from participating in these programs at the levels proposed in H.R. 1?

Response: In both WIC and CSFP it is likely that the H.R. 1 level of funding would result in people being prevented from participating in the programs. H.R. 1 included \$6.5 billion for WIC for FY 2011, which was about \$1.1 billion less than requested in the FY 2011 President's Budget. FNS constantly monitors program participation and food costs to ensure that estimates are adjusted according to the most recent data available. Currently, participation in the program is relatively flat but food costs are rising rapidly. We estimate that the H.R. 1 level of funding would support approximately 9.065 million participants, which is less than the current estimate for average annual participation in the program in FY 2011.

H.R. 1 also included \$151.7 million for the Commodity Supplemental Food Program (CSFP), which is \$20 million below the FY 2010 level and \$25.1 million below the FY 2011 request. The tentative caseload assigned for calendar year 2011 is 604,931, and current participation in the CSFP (through January 2011) is approximately 581,000 per month. The funding provided by H.R. 1 would support caseload of approximately 524,000, which is a reduction of approximately 81,000 from the caseload level in 2010 and the tentative assignment in 2011. Thus, States would have to immediately cut caseload and begin to reduce participation in the program as a result of the budget cuts included in H.R. 1.

#### CONCERNS WITH THE NEWLY PROPOSED SCHOOL MEAL GUIDELINES

Mr. Kingston: We have heard that "The School Nutrition Association" a group representing more than 50,000 of the nation's cafeteria professionals who provide low-cost meals to students across the country, sent formal comments to USDA this week saying it objects to nearly every aspect of proposed meal guidelines for the National School Lunch Program and the School Breakfast Program. Specifically, this group believes that the proposal will:

- (1) increase school meal costs without compensation;
- (2) complicate administration of this national program; and,
- (3) make it more difficult for industry to provide acceptable products at reasonable prices.

In the re-authorization of the school lunch program, Congress increased funding by six cents per lunch. The USDA now estimates that the proposed meal guidelines will require 15 cents more for lunch and 51 cents more for breakfast while there was not any additional allocation for breakfast.

Some believe that the increased costs to the School Lunch Program may have some unintended consequences by unfairly raising prices on those children not participating in the school lunch program or forcing those out who currently pay a partially subsidized school meal. Please provide a detailed response on the likelihood that USDA's attempt to rapidly change the meal guidelines will raise costs to the participating schools and force children out of the current program.

Response: USDA issued a proposed rule on January 13, 2011, to update school meals based on the Dietary Guidelines for Americans and the recommendations of the National Academies' Institute of Medicine (IOM). The proposed rule includes provisions requiring more fruits and vegetables in the school menu and phases in whole grain and sodium requirements, which are likely to increase both food and labor costs. The estimated increases in food and labor costs are about 14 cents for each reimbursable lunch and about 50 cents for each reimbursable breakfast in fiscal year 2015, the first year of full implementation. As you noted, the Healthy, Hunger-Free Kids Act of 2010 provides a six cent increase in lunch reimbursements for those schools that implement the new guidelines. The Congressional Budget Office (CBO) estimated this change would increase Federal expenditures by over \$3 billion over the next 10 years. This is the first time in over 30 years that Congress has provided for a non-inflationary increase in the reimbursement rate.

Covering the increased costs estimated to implement the proposed rule may be challenging for some schools. However, many schools are already making progress using available resources. USDA has recognized over 640

schools under the HealthierUS School Challenge (HUSC) for voluntarily offering more nutritious meals, including a variety of vegetables each week, a variety of whole fruits, and whole grains. The HUSC schools have demonstrated an ability to operate cost-effective school meals programs that emphasize many of the same foods required by the proposed rule. These schools receive no additional financial assistance from USDA beyond the current meal reimbursement and USDA Foods.

In addition, there are various options schools can employ to meet additional costs associated with the proposed rule. Those include:

- Take full advantage of Federal reimbursements, including the 6 cent per meal increase provided by the Act;
- Ensure prices for a la carte foods covers the cost of those foods;
- Offer nutritious but affordable food choices;
- Improve purchasing strategies, e.g., purchasing larger food quantities at lower prices;
- Examine labor costs and find ways to make more efficient use of staff time.

USDA remains cautiously optimistic that changes in the meal patterns will be well received by students and their parents. Many of the other provisions in the Act also support healthy school meals. We expect, in concert with these other provisions, the meal pattern changes will receive widespread community support.

Mr. Kingston: The proposed rule estimates that the increase in costs for school breakfast will be approximately 50 cents by 2015 with no additional resources to offset these costs. There will be an obvious impact on school districts to fund this vital program. Is it likely that some school districts will abandon the school breakfast program? If so, what is USDA's assessment of the percentage of districts that will abandon breakfast if State and Federal financial conditions continue at their current state?

Response: We do not think it is likely that schools will abandon the School Breakfast Program as a result of the changes in nutrition standards. It is important to keep in mind that many schools in the program are already making progress in improving meals using available resources. USDA has recognized over 640 schools under the HealthierUS School Challenge (HUSC) for voluntarily offering more nutritious meals that include a variety of vegetables each week, a variety of whole fruits, and whole grains. The HUSC schools have demonstrated an ability to operate cost-effective school meals programs that emphasize many of the same foods required by the proposed rule. While these schools receive a modest cash award to acknowledge their accomplishment, they receive no additional cash assistance from USDA supplementing the current meal reimbursement and USDA Foods.

Mr. Kingston: FNS has a difficult but vital role in balancing the needs of school children who desperately need the nutritional elements contained in school lunch and breakfast offerings. For many children, school lunch and breakfast are the only sound, balanced meals they receive and so we need to do our best to feed nutritious foods to the most needy. On a related note, you have just published a proposed rule modifying the components of the school lunch and breakfast program.

Section III of the Supplemental Information of the published proposed rule cites CDC data demonstrating the extent of the obesity problem in children. It also cites the 2007 SNDA-III report to show that school meals still fall short of the Dietary Guidelines for Americans goals related to saturated fat and sodium. But the proposed rule does not report that school meals today are better than other options available to children including brown bag, going off campus or having parents bring fast food meals to the school, student stores, and other options.

I am curious of your opinion of the current program and its nutritional elements compared to some of the other alternatives such as brown bags and off campus meals. Surely they cannot have the nutrition profile of today's school lunches. I have the view that school meals are not the primary cause of childhood obesity, nor can they be the sole solution.

I know that we have a serious obesity problem among American children. Have you determined to what extent is the obesity problem caused by the school feeding programs you administer? I have been under the impression that the school nutrition standards have progressively been raised over the years. How can improved nutritional standards be blamed for a worsening obesity problem. If the standards have not declined, I want to know what evidence you have that the nutrition of school feeding is causing the obesity problem, rather than what kids are eating when they are not in school or reduced activity levels.

Response: With regard to the relationship between school feeding and obesity, it is important to think about these issues in the context of a growing body of research examining the relationship between NSLP and other nutrition assistance programs and obesity.

A recent scientific review of the entire field concluded that "[t]he evidence doesn't support the hypothesis that WIC and school nutrition programs contribute to childhood obesity."<sup>1</sup> Many factors affect low-income families' decision to seek assistance, and many others affect the prevalence of obesity. Some may influence both. The weight of existing evidence suggests that poverty is both a requirement to qualify for many nutrition assistance programs, and raises the risk of becoming obese.

Because the National School Lunch Program reaches 32 million children every day, and is targeted to low-income children who may face a higher risk of weight problems, it is important that it be part of the solution to childhood obesity. For many children, the school meal is the most nutritious food they eat all day. That's why the changes made by the Healthy, Hunger-Free Kids Act of 2010 are so important. It will allow USDA, for the first time in over 30 years, the chance to make real reforms to the school lunch and breakfast programs by improving the critical nutrition and hunger safety net for millions of children.

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<sup>1</sup> Smith, Patricia, K. *Obesity Among Poor Americans: Is Public Assistance the Problem?* Nashville, TN: Vanderbilt University Press, 2009 (page 132).

Mr. Kingston: Your proposal dramatically rewrites the nutritional requirements for the school feeding programs, far beyond the statutory directions. Is pizza the most popular school lunch entree served?

I am told that school lunch suppliers cannot produce a pizza today that meets the sodium restrictions you propose to mandate. Your sodium proposals would mandate sodium reductions that the IOM report said should be "assessed" a decade or so from now. This is not just added sodium, but the sodium that occurs naturally in foods like milk would take much of the sodium allowance you would mandate.

Beyond that, you would change the rules so credit would not be given for the actual tomatoes that make up the tomato paste in a pizza. That was not recommended by the Dietary Guidelines or the IOM report. Please inform the Committee of what problem you are solving by changing the crediting of tomato paste, why you would mandate what the IOM report said should be considered in future years, and how you envision school lunch working once you have eliminated the most popular menu item?

Response: In section 201 of P.L. 111-296, the Healthy, Hunger-Free Kids Act of 2010, Congress required the USDA to issue new meal patterns based on the recommendations made by the Food and Nutrition Board of the National Research Council of the National Academy of Sciences. Our proposed standard hews closely to those recommendations.

Data from the School Nutrition Dietary Assessment Study III show that in School Year 2004-05, over 20 percent of National School Lunch Program (NSLP) participants reported consuming pizza for lunch at school in the previous 24 hours - more students than any other combination entrée (such as sandwiches and hamburgers). Although these are figures for NSLP participants only, the pizza may have been purchased as an à la carte item in some cases.

We know that pizza is a popular choice among children and the proposed rule does not eliminate pizza from school menus. In fact, pizza is included in IOM's sample menus provided in Appendix O of the report. However, to fit into the revised meal pattern, pizza would need to be a more healthful version than what may be served in some schools - for example, containing whole-grain crust; low-fat, low sodium cheese; and lean meat. In particular, the sodium requirement is intended to be met on average over the course of a school week. This means that the sodium content of one meal could exceed the standard, as long as the average sodium content for the week meets the standard. Therefore, pizza can certainly fit into school menus but, in some schools, either a more nutritious pizza may need to be offered or the frequency in which pizza is offered may need to be reduced to meet standards.

The IOM report clearly recommends that the final sodium targets be fully achieved by the year 2020 (p. 111; Table 7-3, p. 122). Given that the committee's intent was to allow ten years for step-wise reduction, FNS revised the date to ten years post implementation of the final rule. USDA will support schools' sodium reduction efforts by continuing to provide training and technical assistance to program operators. USDA will also continue to monitor sodium consumption through the School Nutrition Dietary Assessment studies and the National Health and Nutrition Examination Survey, What We Eat in America.

To be consistent with the Dietary Guidelines for Americans (DGAs), the Food and Nutrition Service (FNS) is moving away from "exceptions" in crediting in schools meals. Historically, tomato paste has been credited

differently than other fruit and vegetable pastes and purees. The DGAs do not support this exception. The only crediting exceptions supported by the DGAs are: (1) leafy greens are credited for half the volume served, and (2) dried fruit is credited for twice the volume served. This proposed change provides consistency in how all fruit and vegetable concentrates, purees, and pastes are credited.

Mr. Kingston: The proposed rule acknowledges that it will have a significant impact on a substantial number of small entities. More than half of all school districts have fewer than 1,000 students. The additional burdens on them both administratively and financially may result in their inability to continue to participate in the programs. This loss of sponsors will harm the very children the proposed rule is supposed to help. If that is the case, whom is this proposal supposed to be benefitting?

Response: The changes in the proposed rule are intended to improve children's diet by increasing their consumption of vegetables, fruits, whole grains, and fat-free/low-fat milk, as recommended by the Dietary Guidelines for Americans and mandated by Congress in the recently-passed Healthy, Hunger-Free Kids Act of 2010. USDA believes these important improvements can be reached without any substantial loss of school or student participation. Over 640 schools, including many small schools, have already made a significant move toward these requirements, with no additional reimbursement, by participating in the HealthierUS School Challenge.

USDA will provide many forms of assistance to help schools meet the new requirements. The Healthy, Hunger-Free Kids Act of 2010 provides a 6-cent reimbursement rate increase for lunches for schools meeting the new meal patterns and nutrition standards. The legislation also includes significant new tools to put additional non-Federal revenue into the school food service account to help schools pay for healthier meals. Furthermore, USDA is working to develop professional standards for school food service directors and annual training for school food service staff which is expected to enhance the ability of schools to administer the foodservice operation efficiently.

USDA also has a structure in place to provide technical assistance to program operators to facilitate compliance with the new meal patterns and nutrition standards. Team Nutrition provides practical guidance and technical assistance materials to program operators, and the National Food Service Management Institute provides technical assistance and training programs.

In addition, USDA will closely monitor implementation of the new requirements and any potential impact on Program participation.

Mr. Kingston: Given the extensive nature of this proposed rule, what data do you have regarding the impact on the cost and school lunch participation? In the proposed rule, the Agency seems to recognize that decreased participation is a possibility, but then seem to discount the effects decreased participation will have not only on the finances of school meal programs, but on student health when the vegetables are discarded and wasted. Considering the possible dramatic decrease in participation and increase in waste, is it likely that your projected costs are underestimated? Have you tested the changes in the proposed rule in a representative sample of schools in different areas around the country to gauge the impact of such a dramatic change on a sensitive population?

Response: A recent USDA study (School Nutrition Dietary Assessment Study III) found that participation was not significantly different in schools that offered more fresh fruits and vegetables, and meals with relatively fewer calories from fat, than other schools. Our analysis of the impact of the proposed rule also notes that the majority of school foodservice directors reported no change in food waste (with the exception of cooked vegetables) in response to menu changes following introduction of the USDA's School Meals Initiative for Healthy Children.

We expect that schools will work to introduce additional fruits, vegetables, whole grains, and reduced-fat dairy products in ways that win acceptance from students, with the goal of maintaining participation, and preserving the Federal revenue tied to reimbursable meals. Nutrition education will also play a part in successful introduction of the proposed standards. Schools are already engaged in that effort; since school year 2006-2007, all schools have established or are implementing local wellness policies that encourage healthy eating, among other goals. These steps are expected to facilitate the transition to the proposed meal standards and support student acceptance of new menu items.

Given the Congressionally-mandated schedule for implementation, the USDA will not pilot test the new standards prior to publication of a final rule. However, 640 schools from 41 States have been certified under the USDA's HealthierUS School Challenge as of March 30, 2011. These schools have voluntarily adopted school meal standards comparable to many of the requirements of the proposed rule. These schools demonstrate that better nutrition can be part of a successful school meals program. It is also worthwhile to note that these schools have accomplished this feat without any additional Federal reimbursement.

We recognize that student acceptance of the proposed meal standards remains uncertain, at least in the short term. Our impact analysis for the proposed rule models the effects of both lower and higher student participation than our primary estimate. These estimates, along with our primary estimate, are contained in the proposed rule document that was made available for public comment. FNS will review all comments received on both the rule and the assumptions behind our cost estimate as we develop a final rule.

Mr. Kingston: As required in the National School Lunch Act, the rules for the programs must reflect the most recent *Dietary Guidelines for Americans*.

*(B) RULES.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall promulgate rules, based on the most recent Dietary Guidelines for Americans, that reflect specific recommendations, expressed in serving recommendations, for increased consumption of foods and food ingredients offered in school nutrition programs under this Act and the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.). (Sec. 9. Pg. 3-12).*

*(1) NUTRITIONAL REQUIREMENTS.—Except as provided in paragraph (2), not later than the first day of the 1996-1997 school year, schools that are participating in the school lunch or school breakfast program shall serve lunches and breakfasts under the program that— (A) are consistent with the goals of the most recent Dietary Guidelines for Americans*



*published under section 301 of the National Nutrition Monitoring and Related Research Act of 1990 (7 U.S.C. 5341). (Sec. 9. Pg 3-31).*

The 2010 *Dietary Guidelines for Americans* recommend average intakes of 5 cups starchy vegetables per week (in a 2000 calorie diet)[ii] compared with the 2005 *Dietary Guidelines for Americans* (average 3 cups/week in a 2000 calorie diet)[iii]. While I recognize that the 2005 DGAs were the most recent DGAs available to USDA during the development of the proposed rule "Nutrition Standards in the National School Lunch and School Breakfast Programs", I view this change in starchy vegetables recommendations as significant and dictates reconsideration of the starchy vegetable limitations in the proposed rule.

What does USDA assume as it relates to the potential impact of the change in recommendations from the 2005 DGAs? You did request comments on the 2010 recommendations on the red-orange vegetable subgroup and the new protein foods subgroup? Why is it that USDA did not at the same time consider the changes in the starchy vegetables subgroup recommendations in the 2010 DGAs in a similar manner?

Response: The addition of a new red-orange vegetable subgroup and subsequent reorganization of all the vegetable subgroups resulted in changes to recommended intake amounts in many vegetable subgroups from the 2005 to 2010 *Dietary Guidelines for Americans* (DGAs). In addition to the limits on starchy vegetables, the recommended intakes from the dark green and dry beans and peas (legumes) subgroups are lower in the 2010 DGAs. Despite the recommended intake being lower in 2010, a key recommendation of the 2010 DGAs is to "Eat a variety of vegetables, especially dark-green and red and orange vegetables and beans and peas."

In a review of the School Meal Programs, the National Academies' Institute of Medicine (IOM) expert panel examined data on the dietary needs of schoolchildren and determined that consumption of starchy vegetables, including white potatoes, meets or exceeds the intake recommendation for this vegetable subgroup. The IOM report cited Health and Nutrition Examination Survey (NHANES) data which indicate that vegetable consumption by children is very low, with the exception of white potato consumption. Thus, the IOM expert panel recommended a greater amount and variety of vegetables at lunch, and starchy vegetables served less often.

The proposed lunch meal pattern, based on the recommendations made by the IOM, limits all starchy vegetables to a maximum of one cup per week. USDA anticipates that parents and students will ultimately appreciate the value of nutritionally improved school meals and that, with repeated exposures and high-quality food preparation, students will learn to value the greater variety of vegetable items offered in the proposed meal patterns.

Mr. Kingston: The proposed rule acknowledges that it will have a significant impact on a substantial number of small entities. More than half of all school districts have fewer than 1,000 students. The additional burdens on them both administratively and financially may result in their inability to continue to participate in the programs. This loss of sponsors will harm the very children the proposed rule is supposed to help. If that is the case, whom is this proposal supposed to be benefitting?

Response: The changes in the proposed rule are intended to improve children's diet by increasing their consumption of vegetables, fruits, whole grains, and fat-free/low-fat milk, as recommended by the *Dietary Guidelines*

for Americans. USDA believes these important improvements can be reached without any substantial loss of school or student participation. Over 640 schools, including many small schools, have already made a significant move toward these requirements, with no additional reimbursement, by participating in the HealthierUS School Challenge.

USDA will provide many forms of assistance to help schools meet the new requirements. The Healthy, Hunger-Free Kids Act of 2010 provides a 6-cent reimbursement rate increase for schools that meet the new meal patterns and nutrition standards. Furthermore, USDA is working to develop professional standards for school food service directors and annual training for school food service staff which is expected to enhance the ability of schools to administer the foodservice operation efficiently. USDA also has a structure in place to provide technical assistance to program operators to facilitate compliance with the new meal patterns and nutrition standards. Team Nutrition provides practical guidance and technical assistance materials to program operators, and the National Food Service Management Institute provides technical assistance and training programs.

USDA will closely monitor implementation of the new requirements and any potential impact on Program participation.

#### WIC ELECTRONIC BENEFIT TRANSFER

Mr. Kingston: The Recovery Act provided \$100 million for WIC Management Information Systems. Between FY 2009 and FY 2010, USDA obligated this full amount. The Department now seeks funding of \$60 million from within the total funding to pay for more WIC management information systems and funds to pay for States to meet the October 1, 2020 deadline to transition all of WIC transfers to the Electronic Benefits Transfer process (i.e., fully electronic transfers). USDA spent hundreds of millions of dollars prior to and after the Food Stamp EBT implementation.

Why can't the WIC program benefit from the EBT investments in the states already in place since USDA serves up to 45 million people a month via this process?

Response: We have learned a great deal from the SNAP implementation of EBT, which was completed nationwide in 2004, but there are significant differences between SNAP and WIC and how their EBT systems must work. Some of the SNAP providers are now supporting online WIC EBT and we work closely with our counterparts in SNAP whenever appropriate. For example, we have adapted technical standards from the SNAP EBT implementation for use within WIC EBT. However, there are several key differences between the SNAP and WIC Programs that require additional investment to implement the WIC EBT mandate by 2020.

WIC benefits are provided to participants as a food prescription such as seven gallons of milk, two pounds of cheese and four boxes of cereal. As the WIC participant shops, the food items are deducted from this EBT prescription. In contrast, SNAP EBT benefits are dollar-based and somewhat simpler to handle in the retail and payments systems. This key WIC difference requires updates in the software that handles a WIC transaction in the store lane and also in the commercial electronic payment systems operated in the United States.

WIC State agencies operate different clinic Management Information Systems than the SNAP agencies operate. Each of these separate systems maintains information regarding the families and individuals who participate that must be linked to the EBT systems to allow for an electronic delivery process.

Mr. Kingston: Please provide the total amount of funds spent on WIC MIS in total as well as by state and territory. Provide data for fiscal years 2007 through estimated 2011 and estimated 2012.

Response: The table below summarizes the total Management Information System (MIS) grant amounts awarded to WIC State agencies for fiscal years 2007 - 2010. At this time, FNS has not awarded MIS grants for fiscal year 2011. Grant estimates for fiscal years 2011 and 2012 are discussed below.

Fiscal Year	TOTAL MIS Grants
2007	\$2,209,433
2008	\$5,191,507
2009 *	\$87,909,434
2010	\$35,689,844

\* Source of funds: American Recovery and Reinvestment Act (ARRA)

For fiscal year 2011, we anticipate the award of approximately \$10-15 million for MIS projects. The funds will be awarded based on approved projects for system upgrades, replacements and EBT readiness activities. The \$10-15 million for MIS, coupled with the estimated totals for EBT funding requests, should fully obligate the \$35 million that is currently in the Continuing Resolution for fiscal year 2011.

We are currently projecting that the MIS funding requests for fiscal year 2012 will total \$30-35 million. The MIS funding estimates, coupled with the estimated totals for EBT funding requests, should fully obligate the \$60 million requested in the President's budget for fiscal year 2012.

State by state grant awards are listed for fiscal years 2007-2010 in the chart below.

## MIS Grants Awarded to WIC State Agencies

State Agency	FY 2007	FY 2008	FY 2009	FY 2010
<b>NORTHEAST REGION</b>				
Connecticut			\$391,270	
Maine		\$380,000	\$1,484,356	
Massachusetts			\$909,000	
New York			\$5,092,278	
Rhode Island			\$147,488	
Vermont			\$410,215	
Regional Total	\$0	\$380,000	\$8,434,607	\$0
<b>MID-ATLANTIC REGION</b>				
Delaware			\$5,000,000	
Washington, DC			\$282,421	
New Jersey			\$1,349,414	
Pennsylvania			\$756,167	
Puerto Rico			\$421,250	
Regional Total	\$0	\$0	\$7,809,252	\$0
<b>SOUTHEAST REGION</b>				
Florida			\$3,874,445	
North Carolina		\$2,500,000	\$17,276,448	
Tennessee			\$481,720	
Regional Total	\$0	\$2,500,000	\$21,632,613	\$0
<b>MIDWEST REGION</b>				
Illinois			\$5,504,551	
Minnesota			\$2,935,346	
Wisconsin			\$401,800	
Regional Total	\$0	\$0	\$8,841,697	\$0
<b>SOUTHWEST REGION</b>				
Arkansas	\$800,000	\$262,500	\$400,433	\$93,088
Louisiana			\$576,302	
New Mexico			\$1,861,490	
Texas			\$10,826,705	\$28,802,826
Chickasaw, OK	\$304,473	\$716,509	\$2,920,091	\$3,380,132
Regional Total	\$1,104,473	\$979,009	\$16,585,021	\$32,276,046
<b>MOUNTAIN PLAINS REGION</b>				
Colorado	\$248,960	\$400,000	\$1,022,022	\$472,970
Kansas			\$6,285,855	\$460,091
Missouri	\$421,000	\$497,498	\$1,630,769	\$93,009
Montana	\$435,000	\$435,000	\$426,000	\$190,575
Nebraska			\$182,700	
North Dakota			\$68,975	
South Dakota			\$1,907,672	
Utah			\$206,000	
Regional Total	\$1,104,960	\$1,332,498	\$11,729,993	\$1,216,645
<b>WESTERN REGION</b>				
Alaska			\$2,487,150	\$447,768
Arizona			\$2,952,662	\$1,749,385
California			\$4,405,661	
Hawaii			\$250,000	
Idaho			\$2,556,978	
Oregon			\$223,800	
Regional Total	\$0	\$0	\$12,876,251	\$2,197,153
<b>GRAND TOTAL</b>	<b>\$2,209,433</b>	<b>\$5,191,507</b>	<b>\$87,909,434</b>	<b>\$35,689,844</b>

Mr. Kingston: Please provide the total amount of funds spent on WIC EBT in total as well as by state and territory. Provide for fiscal years 2007 through estimated 2011 and estimated 2012.

Response: The table below summarizes the total Electronic Benefits Transfer (EBT) grant amounts awarded to WIC State agencies for fiscal years 2007 - 2010. At this time, FNS has not awarded EBT grants for fiscal year 2011. Grant estimates for fiscal years 2011 and 2012 are discussed below.

Fiscal Year	TOTAL EBT Grants
2007	\$5,198,828
2008	\$3,890,207
2009 *	\$11,976,412
2010	\$23,314,825

\*Source of funds: American Recovery and Reinvestment Act (ARRA)

For fiscal year 2011, we anticipate the award of approximately \$20-25 million for EBT projects. The funds will be awarded to current EBT projects with additional funding needs, new EBT planning activities and implementation projects. The \$20-25 million for EBT, coupled with the estimated totals for MIS funding requests, should fully obligate the \$35 million that is appropriated for fiscal year 2011.

We are currently projecting that the EBT funding requests for fiscal year 2012 will total \$30-35 million. This estimate anticipates that WIC State agencies currently planning for EBT will be ready to begin implementation activities in 2012. The EBT funding estimates, coupled with the estimated totals for MIS funding requests, should fully obligate the \$60 million that is requested in the President's budget for fiscal year 2012.

State by state grant awards are listed for fiscal years 2007-2010 in the chart below.

## WIC EBT Grants 2007 through 2010

State Agency	FY 2007	FY 2008	FY 2009	FY 2010
<b>NORTHEAST REGION</b>				
Connecticut				\$290,950
Maine				\$226,748
New York				\$400,000
Rhode Island				\$255,585
<b>REGIONAL TOTAL</b>				<b>\$1,173,283</b>
<b>MID-ATLANTIC REGION</b>				
Delaware			\$250,000	
Dist. Of Columbia			\$300,000	
Pennsylvania			\$462,264	
Virginia	\$285,000		\$585,822	\$6,033,196
West Virginia				\$1,848,049
<b>REGIONAL TOTAL</b>	<b>\$285,000</b>		<b>\$1,598,086</b>	<b>\$7,881,245</b>
<b>SOUTHEAST REGION</b>				
Alabama			\$218,513	
Florida		\$150,000		
Kentucky	\$2,142,315	\$1,964,451	\$2,582,070	\$7,732,386
<b>REGIONAL TOTAL</b>	<b>\$2,142,315</b>	<b>\$2,114,451</b>	<b>\$2,800,583</b>	<b>\$7,732,386</b>
<b>MIDWEST REGION</b>				
Indiana				\$40,000
Illinois			\$623,016	
Wisconsin		\$122,437	\$122,438	
<b>REGIONAL TOTAL</b>		<b>\$122,437</b>	<b>\$745,454</b>	<b>\$40,000</b>
<b>SOUTHWEST REGION</b>				
Arkansas		\$165,000		
Chickasaw, OK		\$997,714	\$1,486,339	\$1,495,887
Louisiana				
New Mexico	\$550,823		\$1,045,000	
Oklahoma				\$1,725,188
Texas	\$1,300,000		\$950,000	
<b>REGIONAL TOTAL</b>	<b>\$1,850,823</b>	<b>\$1,162,714</b>	<b>\$3,481,339</b>	<b>\$3,221,075</b>
<b>MOUNTAIN PLAINS REGION</b>				
Colorado			\$444,066	
Iowa				\$388,897
Missouri			\$300,000	
Montana			\$294,999	
Wyoming	\$66,125		\$644,035	\$150,378
<b>REGIONAL TOTAL</b>	<b>\$66,125</b>		<b>\$1,683,100</b>	<b>\$539,275</b>
<b>WESTERN REGION</b>				
Alaska				\$133,089
California				\$389,000
Michigan	\$854,565	\$490,605		\$495,253
Nevada			\$1,500,000	
Oregon			\$167,850	
Washington				\$1,710,219
<b>REGIONAL TOTAL</b>	<b>\$854,565</b>	<b>\$490,605</b>	<b>\$1,667,850</b>	<b>\$2,727,561</b>
<b>GRAND TOTAL:</b>	<b>\$5,198,828</b>	<b>\$3,890,207</b>	<b>\$11,976,412</b>	<b>\$23,314,825</b>

Mr. Kingston: Please provide an explanation as to the difference between funds designated for MIS projects and funds designated for EBT projects.

Response: WIC State agencies typically utilize two computer systems when providing participants with electronic access to program benefits. The two systems, the certification system (MIS) and the EBT system, are highly interdependent. For budgetary purposes, MIS and EBT funding are requested under the budget line item "Management Information Systems".

WIC State agency management information systems (MIS) are used by WIC staff working directly with recipients at local agencies and WIC clinics to record information necessary for enrollment and participant certification. FNS has developed a standard set of functional requirements for MIS systems to include: participant certification, nutrition education, food benefit issuance, food benefit redemption and settlement, financial management, caseload management, operations management, vendor management, scheduling, and reporting. As these systems are quite complex and must support EBT, many current systems must be upgraded or replaced at significant cost.

Electronic benefit transfer (EBT) systems permit electronic access to WIC Program benefits and interface with a State agency's MIS. Typical system implementation costs include initial software and programming costs, equipment and card costs, and contractor and staffing costs.

Mr. Kingston: How much will it take to move all WIC programs to one EBT system so that USDA can do a better job of monitoring this program, reduce chances for fraud, and streamlining the cost of delivery?

Response: Due to the WIC Program's unique State agency administration and funding structure, it is not feasible to move all WIC Programs to one EBT system. Both EBT online (magnetic stripe card technology) and offline (smart card technology) implementations are in operation today. We are technology neutral, allowing State agencies to decide which technology to implement based on their individual requirements, technology direction, stakeholder input, and cost analysis. FNS continues to develop and promote the use of WIC EBT technical standards and system operating rules to facilitate the standardization of EBT technology, to streamline the cost of delivery, and to improve program monitoring. Both technologies - online and offline - reduce chances for fraud and streamline the cost of delivery as compared to current paper-based systems.

#### SNAP BENEFITS AND FAST FOOD OPTION

Mr. Kingston: I have seen reports that USDA allows the SNAP participants in Michigan, Arizona and parts of California as well as the Commonwealth of Puerto Rico to access food via fast food restaurants.

Since the Department has often linked fast food with obesity, why would you allow for this option?

Response: The Food and Nutrition Act allows States the option to administer a restaurant program only for elderly and disabled SNAP clients and their spouses, and for the homeless. Michigan, Arizona, California, and Puerto Rico currently run such programs.

There are currently no statutory rules requiring healthy meals, or that set eligibility criteria relative to the types of restaurants that may participate in the program. States can, however, choose to limit participating restaurants to ensure that selected locations meet the needs of the targeted client population.

USDA shares the concerns regarding the healthfulness of the foods offered under current State programs. Some advocates support the restaurant program as an access measure for populations unable to prepare meals at home, such as the elderly, disabled, and homeless populations.

USDA is reviewing opportunities to enhance this portion of the Program such that it better serves the purpose of the Program and meets the needs of the population it is intended to serve.

Mr. Kingston: If the program is restricted to specific populations, what controls are in place to limit participation only to these groups?

Response: State Agencies are required to ensure that only eligible clients (elderly, disabled, or homeless SNAP clients) use their benefits at authorized restaurants.

All States operating a restaurant program, as well as Puerto Rico, have implemented or will implement an EBT systems solution that assures only eligible clients use their benefits at participating restaurants. Specifically, an eligible client's EBT account has a restaurant indicator tied to it and is validated at the time the transaction is authorized. Transactions attempted with cards from ineligible clients will not be approved at the point-of-sale.

Florida, which is operating only a restaurant pilot that consists of less than 10 participants in small geographic area, is the only exception. Due to the limited circumstances of the pilot, Florida has not implemented EBT system controls due to the cost. Instead, Florida issues and requires that special restaurant-eligible identification cards be checked by participating restaurants at point-of-sale. FNS would work with Florida to ensure that controls are in place should they opt to expand their pilot.

Mr. Kingston: Does USDA plan to expand use of this option now or in the future?

Response: The Food and Nutrition Act allows States to operate restaurant programs at their option.

USDA shares the concerns regarding the healthfulness of the foods offered under current State programs. Some advocates support the restaurant program as an access measure for populations unable to prepare meals at home, such as the elderly, disabled, and homeless populations.

USDA is reviewing opportunities to enhance this portion of the program such that it better serves the purpose of the Program and meets the needs of the population it is intended to serve.



CONNECTIONS BETWEEN INTERNATIONAL FOOD AID AND U.S. DOMESTIC FEEDING PROGRAMS

Mr. Kingston: I have mentioned a book called "Dead Aid" by Dambisa Moyo in a number of hearings. The gist of the message from her book is that feeding programs in Africa have contributed to a dependency environment where recipients of food aid depend on aid and fail to engage in more entrepreneurial efforts.

Has USDA or organizations outside of USDA conducted any studies that would lead the Department to believe there is a link between expanded nutrition programs and a disincentive for adult participants to exit nutrition assistance programs?

Response: USDA has conducted econometric simulation studies that specifically examine the relationship between SNAP participation and work hours. For female-headed households, the largest demographic segment of SNAP households, the work-effort and program-participation responses of participating women to changes in non-labor income, including changes attributable to expanded SNAP eligibility, are relatively small. It is worth noting that differences in household characteristics, such as education and the presence of a preschool child had much larger effects on hours of work.

Other program statistics indicate that nutrition assistance does not generally function as a disincentive to work. In 2009, almost 30 percent of SNAP households had earnings. Based on the most recent available data, half of all new SNAP households leave the program within 8 months.

Food aid to Africans who live in subsistence conditions may have a different impact than nutrition assistance to low-income Americans who must still obtain income to cover shelter, medical, utility and transportation costs.

WIC APPROVED FOODS, CNPP, AND INVOLVEMENT WITH FTC ADVERTISING PROPOSAL

Mr. Kingston: The Report accompanying the FY 2009 Appropriations Act called for the establishment of a Interagency Working Group - consisting of USDA/CNPP, Federal Trade Commission (FTC), FDA and CDC -- to study and make recommendations for marketing foods to kids 17 years old or younger.

In December 2009, FTC issued a proposal that industry feels would restrict the advertising of peanut butter and jelly, soups, salads, yogurts, and most breakfast cereals, including Cheerios.

What I find most interesting is that some of these foods are approved for purchase under the WIC program. So can you explain to me why the double standard? Why would USDA approve of foods under a nutrition program for the most need population and then turn around and recommend the ban on advertising of these products?

Response: The 2009 Omnibus Appropriations Act included a provision calling for the FTC to establish an Interagency Working Group on Food Marketing to Children, made up of members from FDA, CDC, USDA, and FTC. The charge to the FTC-led Working Group, which officially convened in May 2009, was to conduct a study and develop recommendations for voluntary standards for the marketing of food targeted to children ages 17 years old or younger.

In light of the increasing trends for childhood obesity, the Working Group was directed to consider positive and negative contributions of

nutrients, ingredients, and food, including calories, portion size, saturated fat, *trans* fat, sodium, added sugars, and the presence of nutrients, fruits, vegetables, and whole grains, to the diets of children. The scope of the media to which such recommendations apply also had to be determined.

The guidance provided to the Working Group was to complete its work and deliver by July 2010 a report containing its findings and recommendations. Further guidance was to ensure public input on the proposed recommendations for the voluntary standards.

Over the past 22 months, the FTC-led Working Group met regularly to assess the science, examine the components of voluntary efforts employed by various organizations already, and work through scenarios related to individual foods and foods marketed as meals. The goal was to ensure the science base supported a common sense approach.

FTC held a public meeting to gather input on *initial* thinking of the Working Group in December 2009; the nutrition principles and criteria presented at the meeting were previewed to solicit input. Based on views expressed, the Working Group continued to further refine the criteria to meet the charge.

Delays were encountered in meeting the July 2010 report date with the need to perform complex food modeling exercises to test the effects of potential criteria on foods currently marketed to children younger than age 17, as well as to work through approaches for marketing individual foods and multi-component meals. Such analyses helped ensure that there is a common-sense approach to allowing healthier versions of foods, e.g., no-salt peanut butter, low-fat milk and low-fat yogurt, eggs, and Cheerios, and some healthier kid's meals, to be advertised.

The FTC-led Working Group is nearing completion of a set of recommendations for proposed voluntary nutrition principles to guide industry self-regulatory efforts to improve the nutritional profile of foods that are most heavily marketed to children. The recommendations include nutrition principles and nutrient criteria for deciding what foods are eligible for marketing, as well as proposed definitions of marketing activities targeting children and adolescents to which the nutrition principles would apply.

Under FTC's lead, the recommendations will be made public later in spring 2011 for comment on the criteria and the impact that they are likely to have on children's food marketing and their diets if fully implemented. The Working Group will consider the input in developing its final recommendations to Congress, targeted for fall 2011.

#### SNAP: HOUSE BUDGET COMMITTEE'S FY 2012 BUDGET PROPOSAL

Mr. Kingston: On April 4, 2011, the Budget Committee of the House of Representatives issued its "Path to Prosperity FY 2012" long term budget plan. Among the diverse statements and positions, the report noted that "[f]ederal spending on food stamps has quadrupled over the past ten years." The report goes on to say that the welfare reforms of the 1990s were successful because "...the best welfare program is one that ends with a job and a stable, independent life for the individual." For those individuals on SNAP without a full-time job or even a part-time job, what has USDA done to leverage the use of Federal education and job-training programs to help SNAP or other nutrition assistance participants?

Response: The Supplemental Nutrition Assistance Program (SNAP) responds rapidly to address the economic needs of low-income families. When the economic conditions worsen, family income tends to worsen, which tends to translate into more people becoming eligible for assistance through SNAP. It makes sense that participation, and subsequently Federal expenditures, would rise in the past several years given the severity of our economic downturn.

Additionally, work is an integral part of the Supplemental Nutrition Assistance Program (SNAP) and has been since 1971. The Food and Nutrition Service (FNS) administers the SNAP employment and training (E&T) program nationwide, provides technical support to State agencies, and funds E&T operations through allocation of a Federal E&T grant each fiscal year. Participants in SNAP who are not specifically exempted by statute must register for work; participate in the E&T Program if assigned; participate in workfare if assigned; keep the State agency informed of their employment status and availability for work; report to an employer if referred by the State agency, and accept an offer of employment; and not voluntarily quit a job of 30 hours or more a week or reduce their work hours to less than 30 hours a week without good cause.

All 53 State SNAP agencies operate an E&T program to help job-ready SNAP recipients find work and assist others to gain skills, training, or experience that lead to employment. In FY 2010, 29 percent of SNAP recipients were registered for work and a total of 11.4 million SNAP recipients were subject to E&T participation.

FNS provides flexibility in the design of E&T programs so that States may determine what services best fit with local needs. State agencies choose the components that make up their E&T programs. Program components include job search training and support, independent job search, workfare, basic and educational programs as well as vocational and technical training, work experience or training, and self-employment training.

States must deliver their E&T components through their statewide workforce investment systems if available. Through the "One-Stop" system, a variety of job training, education, and employment services are available to customers, including SNAP recipients, at a single convenient location.

In response to the economic downturn, many States agencies are transforming their E&T programs from what was historically a job search or job readiness program to an educational program that responds to the demographics of the newly unemployed or under-employed. States agencies are working closely with private and public education and training providers.

Mr. Kingston: The "Path to Prosperity FY 2012" also makes a proposal to convert SNAP into a block grant program tailored to each state's low income population, indexed for inflation starting in FY 2015. SNAP benefits would be contingent upon work programs or job training for able bodied participants.

Please provide the Committee with a detailed assessment of potential benefits as well as potential shortcomings of such a program. Which USDA organization or non-governmental organization would be best suited to provide an independent assessment of this proposal?

Response: To date, there is only a general description of the block grant alternative to SNAP that would be included in the "Path to Prosperity"

proposal, making it difficult to provide a detailed assessment. However, some broad comparisons may be drawn between the current SNAP and a block grant alternative.

SNAP's national eligibility requirements respond quickly and consistently to changing economic conditions, whether national in scope or within specific regions or localities. The program expands to meet increased need when the economy is in recession and more eligible people participate and contracts when the economy is growing. Benefits automatically flow to communities, States, or regions of the country that face rising unemployment or poverty and associated need, making sure that food gets to people who need it as well as much needed resources to the community.

Block grants generally cannot ensure this quick responsiveness. The fixed funding common to most block grants means that when economic conditions worsen, either statewide or in specific locales, there is no built-in mechanism to provide benefits to the newly needy without reducing benefits for others already receiving assistance. In addition, "tailoring" eligibility requirements to specific States would create inconsistencies in the program's response to changing economic conditions.

Making SNAP eligibility contingent on work programs or job training has long been a component of the current Program. Specifying what those requirements are is independent of a block grant formulation, although ensuring the necessary funds for such training is not.

Several non-partisan organizations are currently reviewing the proposal. The Government Accountability Office, the Congressional Budget Office, or the Congressional Research Service are other options available for an independent assessment.

Mr. Kingston: What would be the difference between what is proposed by the House Budget Committee and what is currently in place for Puerto Rico's NAP?

Response: To date, there is only a general description of the block grant alternative to SNAP that would be included in the "Path to Prosperity" proposal, making it difficult to provide a detailed comparison to the Puerto Nutrition Assistance Program (NAP). A description of the structure and administration of the Puerto Rico NAP is therefore provided.

Puerto Rico receives a fixed block grant that pays for 100 percent of benefits and 50 percent of administrative costs for the NAP. The amount of Puerto Rico's grant amount is tied to changes in the Thrifty Food Plan (TFP).

Puerto Rico designs its own set of program rules and eligibility criteria to stay within the capped block grant amount. NAP eligibility criteria are similar to, but generally lower, than those used in SNAP.

NAP includes only a minimal work requirement. Able-bodied adults that work fewer than 25 hours each week must perform three attempts at finding a job. Puerto Rico provides 75 percent of benefits in electronic form to be used in authorized stores and 25 percent are provided in cash through ATM machines. Puerto Rico operates a Nutrition Education Program. Puerto Rico's Plan of Operation for the NAP is negotiated with and approved by the Food and Nutrition Service.

Mr. Kingston: Please provide a table showing a breakout of how the employment and training funds were spent to include fiscal year 2008 through 2010 actuals and plans for fiscal years 2011 and 2012.

Response: The information is provided for the record.

[The information follows:]

FEDERAL E&T EXPENDITURES						
FISCAL YEAR	E&T 100%	ABAWD \$20 MILLION	50% ADMIN REIMBURSEMENT	DEPENDENT CARE	NON-DEPENDENT CARE PARTICIPANT REIMBURSEMENTS	TOTAL FEDERAL FUNDS EXPENDED
2008	\$79,404,865	\$16,597,180	\$156,292,566	\$12,169,144	\$35,875,177	\$300,338,932
2009	\$78,685,612	\$19,111,617	\$163,982,551	\$13,812,670	\$37,643,640	\$313,236,090
2010	\$89,285,629	\$19,876,561	\$169,742,370	\$19,032,000	\$46,444,736	\$344,381,296
2011 (EST)	\$95,000,000	\$20,000,000	\$205,311,000	\$22,635,000	\$50,000,000	\$392,946,000
2012 (EST)	\$95,000,000	\$20,000,000	\$211,265,000	\$24,741,000	\$50,000,000	\$401,006,000

#### COMMODITY SUPPLEMENTAL FOOD PROGRAM

Mr. Kingston: The population of participants in The Commodity Supplemental Food Program (CSFP) is approximately 95 or 96 percent elderly (60 years or older). What is the USDA's estimate of total elderly participants that are eligible for SNAP but opt not to seek support via SNAP? What are some of the reasons why eligible elderly participants in CSFP choose not to participate in SNAP? What is the Department doing to transition more eligible elderly participants out of CSFP and into the SNAP program?

Response: The most recent national data shows that in 2008, about 4.6 million people aged 60 or over were eligible for SNAP but did not participate - about 65 percent of all eligible elderly people. However, because CSFP is available only in limited areas, the great majority of these people did not have access to CSFP. A 2008 study by the Urban Institute estimated that in 2003, about 22 percent of CSFP-eligible seniors (in CSFP states) were enrolled in SNAP, about 48 percent were eligible but not enrolled, and about 30 percent were not eligible for SNAP. The study did not determine what the rates of SNAP eligibility and participation were among CSFP participants.

In 2008, the Urban Institute published a report on CSFP which indicated that SNAP participation among eligible seniors may be low because many seniors are eligible for only the \$10 minimum monthly SNAP benefit, and seniors might not find the small benefit amount worth the trouble of going through the application process. The report also says that seniors may have limited access to SNAP enrollment sites or retail food outlets in which to purchase food with SNAP benefits. Further, some seniors who may meet the CSFP income requirements may not be eligible for SNAP due to SNAP's net income limits or asset tests.

Elderly CSFP participants may simultaneously participate in the SNAP program. For that reason, the Department does not try to transition elderly CSFP participants out of CSFP and into SNAP. However, local agencies are required to provide elderly CSFP applicants with written information on SNAP and make referrals to SNAP when appropriate.

Mr. Kingston: Please provide the Committee with a status of the Administration's efforts to use leads data from the Social Security Administration to increase participation in SNAP among elderly beneficiaries of the Medicare Low-Income Subsidy (LIS).

Response: On September 16, 2010, USDA awarded \$3.1 million to three States - Washington, Pennsylvania, and New Mexico - to increase access and participation in the Supplemental Nutrition Assistance Program (SNAP) among low-income seniors. The grants fund pilot projects to increase SNAP participation among beneficiaries of the Medicare's Low-Income Subsidy (LIS), also known as Extra Help.

Extra Help assists low-income individuals or couples with limited resources pay for their Medicare prescriptions. Under a new law, data from Extra Help applications from seniors is sent to State Medicaid agencies to enroll eligible individuals in Medicare Savings Programs.

Each of the State agencies awarded a grant from FNS will conduct a unique project to increase SNAP participation among the Extra Help population by using this data. Washington State will conduct a two county outreach effort, as well as develop a simplified application for seniors, an intensive media campaign, targeted mailings, follow-up through phone calls and home visits, and a mobile SNAP office. Pennsylvania will build on a current partnership that streamlines the SNAP application and fast-tracks the eligibility process. New Mexico's pilot standardizes benefits for the Extra Help population.

The selected State agencies must complete the pilot projects by September 30, 2013. These projects will be thoroughly evaluated by an independent evaluator to assess improvement in participation in SNAP among recipients of Extra Help.

Mr. Kingston: Of the total amount obligated for the Commodity Supplemental Food Program, what portion or percentage goes towards administrative costs?

Response: The Agriculture and Consumer Protection Act of 1973 mandates that the administrative grant per caseload slot be adjusted annually for inflation. In fiscal year (FY) 2011, the estimated obligations for the Commodity Supplemental Food Program (CSFP) are \$192.6 million. Of that amount, FNS will provide \$41.3 million, or 21% of total obligations, to States for administrative expenses. The percentage that goes towards administrative costs varies from year-to-year based on inflation and total obligations.

The following table provides historical information on CSFP Administrative costs:

Fiscal Year	Administrative Cost	Percentage
2008	\$29,862,773	21.4%
2009	31,419,668	19.0%
2010	38,838,228	21.2%
Average	\$33,373,556	20.5%

Mr. Kingston: In the President's FY 2012 budget request, FNS requests a total of \$1.75 million for IT Modernization and Support within the Commodity Assistance Program. Please provide more detail on plans for tracking and tracing recalled foods. Has FNS documented previous experiences with contaminated foods and foodborne illness in the Commodity Supplemental Food Program? Do any other nutrition assistance programs at USDA have similar food recall mechanisms?

Response: USDA documents every recall affecting food procured by the Department for the Commodity Supplemental Food Program (CSFP) and USDA's other nutrition assistance programs, regardless of the reason for the recall. We also monitor complaints submitted to us by the public for reports of foodborne illness and other food safety concerns. The mechanisms for recalls and complaints work in the same way regardless of the program. Recalls are announced by the regulatory agencies, the Food Safety and Inspection Service and the Food and Drug Administration. If USDA has purchased any of the lots included in the recall, those lots are identified and located, and instructions are sent to the State agency that ordered the food as to how it should be handled.

USDA has conducted an evaluation of the needs of State agencies during food emergencies such as recalls, and is setting criteria and exploring means to improve their capabilities. The President's FY 2012 budget request proposes \$1.75 million to fund State information technology enhancements to assist State agencies in fulfilling their responsibility to quickly identify and inform recipient agencies that receive recalled product.

These enhancements would provide for improved communication with recipient agencies about recalled foods; enable Web-based information posting; and include both a rapid alert notification system and a self-registration notification service. Currently, FNS communicates with State agencies through ECOS (Electronic Commodity Ordering System), but a similar system reaching from State agencies to local school districts and schools is not widely available. Provided funds are available, phase two of this initiative would enable the same rapid communication between State agencies and local entities.

#### NUTRITION PROGRAMS ADMINISTRATION

Mr. Kingston: How much is assumed in the FSP, CNP, and WIC for studies and evaluations in the fiscal year 2012 budget request?

Response: [The information follows:]

## FNS Program Funding for Research and Evaluation

Program	Funding (Dollars in Millions)		
	2011 Estimate	Change	2012 Budget
Child Nutrition Program	3.0	16.0	19.0
Special Supplemental Nutrition Program for Women, Infants and Children (WIC)	15.0	0	15.0
Supplemental Nutrition Assistance Program (SNAP)	11.5	0	11.5

## CHILD NUTRITION PROGRAMS

Mr. Kingston: How many participated in the school lunch program in fiscal year 2010? How many are estimated to participate in fiscal years 2011 and 2012?

Response: In fiscal year 2010, on average, 31.6 million students participated each day in the National School Lunch Program. During fiscal years 2011 and 2012, on average 32.1 million and 32.5 million students are estimated to participate each day, respectively.

Mr. Kingston: For each category, paid lunch, free meals, and reduced price meals, what are the federal costs for fiscal years 2008, 2009 and 2010?

Response: The federal costs for fiscal years 2008, 2009 and 2010 for paid, reduced price, and free lunches are detailed below:

Federal Cost of National School Lunch Program (\$ millions)				
	Paid	Reduced Price	Free	Total
FY 2008	\$497.7	\$1,098.3	\$6,769.1	\$8,365.1
FY 2009	\$487.8	\$1,158.9	\$7,337.0	\$8,983.7
FY 2010	\$470.8	\$1,174.1	\$8,288.0	\$9,932.8

Mr. Kingston: How much did USDA spend in fiscal years 2009 and 2010 for the snack programs?

Response: The requested information, in millions of dollars, is submitted for the record.

[The information follows:]



	Fiscal Year 2009	Fiscal Year 2010
National School Lunch Program, Snacks only	\$146.7	\$154.8
Child and Adult Care Food Program - At-Risk Snacks only	\$24.0	\$25.2
Total	\$170.7	\$180.0

Mr. Kingston: How much were the States provided for integrity enforcement in fiscal years 2009 and 2010 and what are the estimates for fiscal years 2010 and 2011?

Response: Section 17(i) of the Richard B. Russell National School Lunch Act provides funding to State agencies for training and technical assistance for carrying out audits and improving their program management and oversight of the Child and Adult Care Food Program (CACFP) calculated as one and one-half (1½ %) percent of the CACFP funds expended by the State in the second preceding fiscal year. This funding is in addition to that provided to States for their administrative expenses under State Administrative Expense (SAE) funds, which may also be used for program oversight, but FNS does not require States to report on their SAE expenses at that level of detail.

Section 7(h)(1) of the Child Nutrition Act of 1966 provides grants to States for training and administrative reviews.

	FY09 Actual	FY10 Actual	FY 11 Estimated	FY 2012 Estimated
CACFP Training and Technical Assistance	\$1,918,200	\$3,537,000	\$3,529,926	\$3,537,000
Training and Administrative Reviews	\$4,000,000	\$4,000,000	\$4,000,000	\$4,000,000

Mr. Kingston: Please provide a table showing the amount of state administrative expenses that have been carried over, the amount of original allocation, and the percent of the allocation carried over. Include data from fiscal years 1905 through 2010.

Response: The information is submitted for the record.

[The information follows:]

State Administrative Expenses 1995 to 2010			
Fiscal Year	Initial SAE Allocation	Carryover Amount	Percent of Allocation Carried Over
2010	\$191,308,525	\$32,662,082	17.07%
2009	\$177,842,407	\$27,760,852	15.61%
2008	\$170,300,817	\$25,321,085	14.87%
2007	\$162,929,659	\$23,919,571	14.68%
2006	\$153,599,784	\$21,635,445	14.09%
2005	\$145,854,938	\$18,903,011	12.96%
2004	\$139,270,279	\$19,799,264	14.22%
2003	\$129,344,125	\$13,380,090	10.34%
2002	\$126,125,485	\$12,705,418	10.07%
2001	\$122,514,665	\$15,362,304	12.54%
2000	\$117,137,388	\$14,756,627	12.60%
1999	\$114,173,327	\$15,444,308	13.53%
1998	\$108,304,052	\$15,425,322	14.24%
1997	\$103,392,469	\$17,295,974	16.73%
1996	\$97,832,770	\$15,990,273	16.34%
1995	\$91,545,120	\$15,039,687	16.43%

Mr. Kingston: Please update the table that appears in last year's hearing record showing the number of schools, institutions, and summer camps that participate in the Special Milk Program to include fiscal year 2005. Please provide the Committee with the amount spent on this program over five years to include planned for FY 2006 and FY 2007.

Response: The information is submitted for the record.

[The information follows:]

## Special Milk Program Outlets Operating by Type

Fiscal Year	Schools	Institutions	Summer Camps	Total
2000	6,997	492	1,148	8,637
2001	6,932	564	1,318	8,814
2002	6,571	574	1,153	8,298
2003	6,160	559	1,155	7,874
2004	5,670	593	1,001	7,264
2005	5,247	642	1,010	6,899
2006	4,981	573	884	6,438
2007	4,911	533	858	6,302
2008	4,734	521	743	5,998
2009	4,274	630	704	5,608
2010	3,947	975	747	5,669

The amounts obligated are as follows:

FY 2008--\$14,856,917  
 FY 2009--\$13,967,851  
 FY 2010--\$12,063,656  
 FY 2011--\$12,563,000 (projected)  
 FY 2012--\$13,069,000 (projected)

Mr. Kingston: Please update the Committee on the latest data showing over and under certification errors in the National School Lunch and Breakfast programs.

Response: As reported in USDA's 2010 Performance and Accountability Report, total improper payments in Fiscal Year 2009 due to certification error in the National School Lunch Program were estimated to be \$839 million, an improper payment rate of 9.40 percent. Overpayments were estimated to be \$633 million (7.09 percent) while underpayment estimates totaled \$206 million (2.31 percent). For the School Breakfast Program, total improper payment estimates amounted to \$230 million, an improper payment rate of 9.08 percent. Overpayments were estimated to be \$178 million (7.02 percent) while underpayment estimates totaled \$52 million (2.06 percent).

## WOMEN, INFANTS &amp; CHILDREN PROGRAM

Mr. Kingston: What is USDA's latest estimate of WIC participation for fiscal years 2011 and 2012?

Response: The FY 2012 President's budget is based on estimated WIC participation of 9.331 million in FY 2011 and 9.613 million in FY 2012. These estimates were made based on the data current at the time the request was prepared. FNS continues to monitor program performance, including participation, and program data indicates that participation is currently lower in FY 2011 than in FY 2010.

Mr. Kingston: What have been the carryout resources for the last five years? Please list and list separately contingency funds. What is the percentage amount of this carryout?

Response: The following table provides the information requested. The amounts shown represent the carryover resources from the prior year available in the year displayed, and dollars are in the millions. The percentages shown are calculated by dividing the carryover shown by the prior year budget authority, taking into account all rescissions.

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Carryover	\$182.1	\$310.5	\$143.1	\$229.2	\$533.8	\$579.4
Contingency	\$141.1	\$141.1	\$108.0	\$0.0	\$125.0	\$125.0
Percentage	3.48%	5.97%	2.74%	3.81%	7.78%	7.99%

Mr. Kingston: Please provide the Committee with a table showing each state agency's method of documenting income for WIC eligibility? What are the federal requirements for income eligibility? What does FNS do to verify that States are in fact enforcing these regulations?

Response: Income eligibility for the WIC Program is established by law to be at or below 185 percent of the Federal Poverty Income Guidelines issued by the Department of Health and Human Services each year. Federal statute and regulations further stipulate that all State agencies must require WIC applicants to provide documentation of family income at certification. When an applicant is determined to be adjunctively or automatically income eligible, State agencies require applicants to provide documentation of their eligibility for the program that makes them income eligible.

In the WIC Program, "documentation of income" means presentation of written documents, such as current pay or unemployment benefits stubs, earnings statements, W-2 forms with the corresponding income tax return, or other appropriate documents sufficient for establishing the current family income level of the entire economic unit. Documentation of substantiating reported income for all members of the economic unit must be available. Public Law 105-336, the Federal statute that established these documentation requirements for WIC income eligibility determinations, also provides for limited exemptions from the documentation requirement for situations that pose unreasonable barriers to participation.

In such instances, which may include homelessness, working only for cash, or zero income, a WIC State agency may allow the applicant to self-declare her household income (or lack thereof), accompanied by the applicant's signature on a statement specifying why she cannot provide documentation of income or affirming that the household has no income at all. State agencies must require that local agencies maintain a record of documentation used to establish an applicant's income eligibility. State or local agencies may wish to photocopy (or scan in) the actual documentation and place it in the applicant's case file. However, when State agencies deem this impractical, they must require that a notation be placed in an applicant's file of the specific type(s) of document that was viewed.

This procedure applies whether an applicant is certified under adjunct, automatic, or traditional income eligibility determination processes. The notation may consist of checking off an appropriate annotated box on a State agency-developed form (paper or electronic). Both income and family size must be recorded. When a certifier is satisfied that an applicant is legitimately reporting zero income, the applicant's signature on the application form will suffice as documentation. WIC State agencies must have these procedures in place at all local agencies, where individual income eligibility determinations are made.

FNS and each State agency then conduct regular management evaluations, at the State and local agency levels, respectively, to ensure compliance with these legislative and regulatory requirements. State agencies must review 100 percent of their local WIC agencies every 2 years, and FNS reviews all WIC State agencies on a 3-year cycle.

Mr. Kingston: What is your current estimate of the number and proportion of WIC vendors who overcharge/undercharge and how much does it cost the program?

Response: The most recent data available shows that in 2009:

- Out of 41,612 WIC vendors identified in the most recent national survey of vendor improper payments, 3,885 vendors overcharged and 2,034 undercharged the WIC program.
- Overcharges accounted for \$56 million, or 0.86 percent, of the \$6.48 billion in program outlays.
- Undercharges were an estimated \$20 million, or 0.31 percent, of the total food outlays that year.
- Total improper payments were \$76 million, or 1.17 percent, of total WIC outlays. This figure was reported in USDA's Performance and Accountability Report for 2010.
- Net improper payments (the cost to the program) were \$36 million, or 0.56 percent, of total WIC outlays.

Mr. Kingston: Please provide the Committee with tables showing the status of state agency contracts for rebates on infant formula and other contracts for food. Also provide an estimate of how many participants are supported with these specific rebates.

Response: The information is submitted for the record.

{The information follows:}

Fiscal Year	Rebate Savings	Number of Participants Supported with Rebates
2001	\$1,474,666,183	1,926,158
2002	\$1,477,282,664	1,910,708
2003	\$1,519,207,719	1,897,708
2004	\$1,641,607,266	2,002,937
2005	\$1,709,770,467	2,063,316
2006	\$1,774,954,018	2,118,999
2007	\$1,906,036,049	2,170,893
2008	\$2,006,846,780	2,143,523
2009	\$1,937,479,495	2,102,531
2010	\$1,692,506,104	1,878,874
2011*	\$1,702,818,281	

\*Preliminary

Rebates Contracts for Food(s) Other than Infant Formula				
State Agency	Food Type	Rebate	Company	Expiration Date
CT/ME/MA/NH/RI	Infant Fruit/Veg.	\$0.037/oz.	Beechnut	9/30/2012
	Infant Meat	\$0.059/oz.		
	Infant Cereal	\$0.069/oz.		
DE/DC/MD/NJ PA,VA/WV/PR	Infant Cereal	\$0.153/oz.	Gerber	4/30/2012
IN/OH/WI	Infant Fruit/Veg./ Meat	\$0.055/oz.	Beechnut	2/28/2013
IN/OH/WI	Infant Cereal	\$0.125/oz.	Gerber	12/31/2011
New York	Infant Cereal	\$1.24/8oz.	Gerber	4/30/2012
Texas	Infant Cereal	\$0.681/8oz.	Gerber	9/30/2012

Mr. Kingston: How many infant formula companies are participating in the infant formula rebate program in WIC? Which ones?

Response: Currently, three infant formula manufacturers participate in the infant formula rebate program. The manufacturers are: Mead Johnson Nutrition, Gerber Products Company (formally Nestlé), and Abbott Nutrition.

Mr. Kingston: Using the latest data available, how many ineligible participants are enrolled in the WIC program, and what is the cost to the program to serve these ineligible participants?

Response: The National Survey of WIC Participants (1998 data) provided estimates of certification error. Using this data in combination with more current WIC demographic information from the 2008 Study of WIC Participants and Program Characteristics, we estimate that about 2.4% of all WIC participants are certified in error to receive benefits. Applying this percentage to total participation in the WIC program in FY 2010, this

represents about 220,200 participants, with associated costs of approximately \$13 million. Later in 2011, we will publish an updated estimate based on more recently collected nationally representative data on WIC certification error.

Mr. Kingston: What was the cost for infant formula at the time the infant formula rebate program began? What is the cost now?

Response: It is estimated that in fiscal year 1988 infant formula costs to the WIC Program were \$597 million before rebate savings. Post-rebate infant formula costs were approximately \$563 million, for a total savings of about \$34 million. The pre-rebate cost of infant formula in fiscal year 2005 (the latest estimate) was approximately \$2.3 billion with a post-rebate cost of \$628 million, saving the program approximately \$1.7 billion. Another way to look at the cost is to compare an infant's pre-rebate monthly food package cost to its post-rebate cost. For fiscal year 2005, the average monthly food package cost for an infant was \$97.86; however, after rebates are applied, this cost drops to \$25.52 per month.

Mr. Kingston: Please provide a table showing what is required to be spent nationally on nutrition education to include fiscal years 2008 through 2010 and estimated for fiscal years 2011 and 2012. What is the difference between the required expenditure vs. the actual? Is the requirement in law? Please cite the authority.

Response: Section 17(h)(3)(A)(i) of the Child Nutrition Act (CNA) of 1966 (42 U.S.C. 1786) and implementing regulations at 7 CFR 246.14(c) require each WIC State agency to spend at least one-sixth of its expenditures for nutrition services and administration (NSA) costs on nutrition education and breastfeeding promotion. The required minimum expenditure for nutrition education activities is therefore calculated by dividing total NSA expenditures by six. The actual nutrition education expenditure is the amount reported by State agencies for nutrition education activities. The actual expenditures for fiscal years 2011 and 2012 are not available.

ESTIMATED MINIMUM NUTRITION EDUCATION EXPENDITURE REQUIREMENT		
Fiscal Year	Required Expenditure	Actual Expenditure
2008	\$267,914,120	\$356,982,303
2009	\$297,988,448	\$401,023,893
2010	\$318,431,731	\$420,222,765
2011 (Estimate)	\$355,927,500	
2012 (Estimate)	\$356,789,667	

Mr. Kingston: For the record, please define spend forward funds and unspent recoverable funds.

Response: By statute and regulation, all WIC State agencies are authorized to spendforward into the following fiscal year unspent nutrition services and administration funds in an amount equal to three percent of their total grant. With approval, WIC State agencies may spend forward an additional  $\frac{1}{2}$  of 1 percent for Management Information Systems (MIS) development costs. Spendforward funds are retained at the State agency level.

Unspent recoverable funds are those unspent funds that are returned to the Department by States after the close of the fiscal year. These recovered funds are reallocated to WIC State agencies the following fiscal year through a funding formula prescribed in program regulations.

Mr. Kingston: For the record, provide the Committee with a table showing a breakout of WIC spendforward, by state, to include fiscal years 2008 through 2010.

Response: The information is provided for the record.

[The information follows:]

	FY 2008	FY 2009	FY 2010
	NSA	NSA	NSA
STATE AGENCY	SPENDFORWARD	SPENDFORWARD	SPENDFORWARD
<b>NERO</b>			
CONNECTICUT	\$570,741	\$917,880	\$1,411,612
MAINE	650,416	580,977	667,319
MASSACHUSETTS	3,005,133	3,295,338	3,222,075
N HAMPSHIRE	320,107	255,448	191,656
NEW YORK	0	0	13,150,186
RHODE ISLAND	686,726	721,950	720,150
VERMONT	4,380	10,604	69,405
INDIAN TWNSHP	0	0	0
P. POINT	0	0	0
SENECA NATION	0	0	0
SUBTOTAL	5,237,503	5,782,197	19,432,403
<b>MARO</b>			
DELAWARE	467,583	465,205	496,103
DIST OF COL	0	611,007	531,752
MARYLAND	2,698,538	2,936,531	2,153,769
NEW JERSEY	4,211,298	4,554,114	4,995,615
PENNSYLVANIA	4,626,545	7,224,624	7,038,738
PUERTO RICO	380,751	2,635,953	5,830,595
VIRGINIA	3,510,172	4,005,013	3,736,618
VIRGIN ISLANDS	42,000	245,602	61,000
W VIRGINIA	880,587	1,428,100	1,431,016
SUBTOTAL	16,817,474	24,106,149	26,275,206
<b>SERO</b>			
ALABAMA	1,518,716	3,043,197	1,818,906
FLORIDA	11,047,290	11,356,089	11,557,839
GEORGIA	4,618,986	1,517,741	8,431,825
KENTUCKY	2,091,840	3,851,601	3,469,804
MISSISSIPPI	2,731,181	3,445,995	2,969,582
N CAROLINA	5,426,602	6,523,493	7,164,708
S CAROLINA	10,617	458,424	2,710,389
TENNESSEE	0	0	1,025,709
CHOCTAW MS	22,374	25,245	26,678



E CHEROKEE	19,255	20,185	20,723
SUBTOTAL	27,486,861	30,241,970	39,196,163
<b>MWRO</b>			
ILLINOIS	6,426,567	7,013,080	6,096,639
INDIANA	3,171,786	3,706,436	3,774,509
MICHIGAN	6,016,790	6,246,907	7,621,859
MINNESOTA	3,275,423	3,268,882	3,193,325
OHIO	5,943,039	6,292,407	6,020,316
WISCONSIN	2,334,547	2,948,320	3,444,169
SUBTOTAL	27,168,152	29,476,032	30,150,817
<b>SWRO</b>			
ARKANSAS	0	9,225	840,126
LOUISIANA	160,743	1,847,420	4,045,800
NEW MEXICO	481,074	979,406	1,377,953
OKLAHOMA	0	100,000	0
TEXAS	21,853,931	16,122,047	19,023,719
ACL	18,104	20,049	3,925
8N PUEBLO	13,653	660	11,417
ISLETA	24,545	14,831	4,090
SANTO DOMINGO	10,104	11,345	11,643
5 SANDOVAL	6,533	13,745	10,918
SAN FELIPE	5,565	495	0
WCD	98,846	127,149	84,776
CHOCTAW OK	94,336	134,341	131,754
CHEROKEE OK	263,267	230,243	98,527
CHICKASAW	137,996	158,005	151,808
OTOE-MISSOURIA	27,707	33,414	25,571
POTAWATOMI	25,497	25,497	25,497
ZUNI	31,275	30,603	22,680
ITC	30,454	25,991	31,239
MUSCOGEE CREEK	108,128	119,106	102,538
OSAGE NATION	0	89,660	74,554
SUBTOTAL	23,391,758	20,093,232	26,078,535
<b>MPRO</b>			
COLORADO	2,277,127	1,791,840	1,392,659
IOWA	1,712,450	1,721,972	1,839,784
KANSAS	1,162,817	920,835	1,438,756
MISSOURI	3,332,957	3,503,010	3,501,980
MONTANA	260,863	324,158	581,195
NEBRASKA	1,043,837	1,148,576	1,160,028
N DAKOTA	356,864	339,043	330,565
S DAKOTA	488,546	537,856	573,695
UTAH	0	226,419	1,105,069
WYOMING	290,445	256,905	314,000
SHOSHONE	0	891	0
UTE MTN	6,906	9,172	9,308
WINNEBAGO	4,850	11,984	11,197
CHEYENNE RIVER	27,112	33,923	32,866
ROSEBUD	0	23,523	33,453

STAND ROCK	49,418	50,515	48,426
3 AFFILIATED	0	22,953	23,441
OMAHA	13,610	18,299	7,927
ARAPAHO	0	0	0
SANTEE	6,400	8,242	7,866
SUBTOTAL	11,034,202	10,950,116	12,412,215
WRO			
ALASKA	844,649	891,555	366,327
ARIZONA	4,316,415	4,603,108	4,403,237
CALIFORNIA	33,684,404	34,343,244	37,073,449
GUAM	290,845	303,260	297,490
HAWAII	1,196,277	1,117,839	1,061,935
IDAHO	973,723	976,372	1,107,848
NEVADA	1,710,164	2,284,533	1,698,509
OREGON	2,520,577	2,414,896	2,395,485
WASHINGTON	3,088,404	4,746,538	5,185,248
ITCN	38,575	41,021	1,951
NAVAJO NATION	142,519	378,913	154,766
ITCA	319,573	132,309	284,339
AMERICAN SAMOA	48,610	245,963	257,491
N MARIANA	150,634	144,933	177,282
SUBTOTAL	49,325,369	52,624,484	54,465,357
NATIONAL	\$160,461,319	\$173,274,180	\$208,010,696

Mr. Kingston: Provide a table for the record, using the latest data available, showing actual obligations in the WIC program for the month of September for fiscal years 2005 through 2010. Please include a column that indicates the percentage of the total amount obligated in that particular fiscal year. Also, provide an explanation of why September obligations represent a higher or lower percentage than the average monthly obligation rate.

Response: The information is submitted for the record.

[The information follows:]

Fiscal Year	Actual Obligations for the Month of September (in thousands)*	Percent of Total Amount Obligated
2005	\$474,175	9.5%
2006	\$476,525	9.4%
2007	\$509,755	9.4%
2008	\$553,169	8.9%
2009	\$602,106	9.3%
2010**	\$1,074,998	16.0%

\* Data have been revised to incorporate reporting changes since the last hearing record was published.

\*\*FY 2010 increases due in part to ARRA MIS, Breastfeeding Promotion, and State MIS.

Program costs during the final month of the fiscal year tend to be higher than the typical month for several reasons. First, the September total includes Farmers Market Nutrition Program (FMNP) and Infrastructure funds; other months include only food costs and nutrition services and administration costs (NSA). Second, NSA costs are highest during the final month of the year because it contains all NSA payments made beginning September through closeout of the fiscal year plus any balance of unliquidated obligations remaining at closeout.

Many agencies postpone certain purchases (such as equipment) until the end of the year to ensure that adequate funds are available for operating expenses. Another reason is that the average food cost per person tends to rise during the year and program participation often increases during the year. Finally, preliminary September data are subject to revision, and these revisions usually decrease.

Mr. Kingston: Provide a table showing, by state, the final unspent recoverable funds for fiscal years 2008 through 2010.

Response: The information is provided for the record.

{The information follows:}

	FY 2008	FY 2009	FY 2010
	UNSPENT	UNSPENT	UNSPENT
	RECOVERABLE	RECOVERABLE	RECOVERABLE
STATE AGENCY	FUNDS	FUNDS	FUNDS
<b>NERO</b>			
CONNECTICUT	\$442,156	\$2,969,734	\$4,716,251
MAINE	1,134,393	1,374,944	1,231,513
MASSACHUSETTS	2,771,683	6,393,075	5,608,492
N HAMPSHIRE	379,697	994,515	1,469,036
NEW YORK	11,591,745	11,002,117	8,486,182
RHODE ISLAND	962,621	1,759,873	901,318
VERMONT	263,385	761,567	941,207
INDIAN TWSHP	8,756	2,273	16,620
P. POINT	0	11,563	24,510
SENECA NATION	44,148	59,515	35,516
SUBTOTAL	17,598,584	25,329,176	23,430,645
<b>MARO</b>			
DELAWARE	1,089,079	2,358,723	1,060,898
DIST OF COL	0	1,208,229	794,402
MARYLAND	797,035	2,528,383	5,456,048
NEW JERSEY	4,337,487	7,064,442	10,879,751
PENNSYLVANIA	2,341,403	19,334,359	4,776,800
PUERTO RICO	2,987,363	5,926,763	25,133,777
VIRGINIA	11,045,851	23,480,622	14,656,879
VIRGIN ISLANDS	0	309,125	921,377
W VIRGINIA	0	2,773,918	4,457,667
SUBTOTAL	22,598,218	64,984,564	68,137,599

<b>SERO</b>			
ALABAMA	6,495,410	15,910,637	3,317,367
FLORIDA	9,428,875	11,590,786	36,996,334
GEORGIA	0	17,681,522	13,628,955
KENTUCKY	5,208,056	15,997,685	18,563,710
MISSISSIPPI	7,064,354	2,314,919	15,147,888
N CAROLINA	1,466,360	25,317,789	19,484,107
S CAROLINA	0	8,383,278	4,104,840
TENNESSEE	7,535,627	22,836,458	5,257,013
CHOCTAW MS	30,518	89,535	172,648
E CHEROKEE	2,587	57,802	94,521
SUBTOTAL	37,231,787	120,180,411	116,767,383
<b>MWRO</b>			
ILLINOIS	8,598,454	9,942,214	23,951,915
INDIANA	7,555,045	18,679,616	22,299,134
MICHIGAN	5,728,306	21,718,883	15,418,213
MINNESOTA	3,251,535	9,882,878	7,014,474
OHIO	9,012,016	23,549,340	22,338,055
WISCONSIN	0	4,300,550	5,713,869
SUBTOTAL	34,145,356	88,073,481	96,735,660
<b>SWRO</b>			
ARKANSAS	2,031,933	5,808,147	4,361,532
LOUISIANA	454	2,462,381	8,522,555
NEW MEXICO	419,572	4,112,425	7,377,000
OKLAHOMA	1,719,686	5,444,398	3,784,263
TEXAS	16,936,627	60,617,544	51,261,690
ACL	1,095	52,665	37,731
8N PUEBLO	64,993	114,399	46,610
ISLETA	29,217	95,021	54,508
SANTO DOMINGO	19,289	3,452	31,703
5 SANDOVAL	39,490	45,383	47,397
SAN FELIPE	49,021	20,210	30,962
WCD	0	66,572	8,238
CHOCTAW OK	79,824	115,982	243,499
CHEROKEE OK	516,658	373,544	1,175,389
CHICKASAW	293,300	369,572	157,249
OTOE-MISSOURIA	45,158	122,680	73,991
POTAWATOMI	361,098	677,983	292,563
ZUNI	88,106	149,740	77,945
ITC	58,112	63,299	213,382
MUSCOGEE CREEK	260,179	395,465	332,019
OSAGE NATION	0	508,175	383,903
SUBTOTAL	23,013,812	81,619,037	78,514,129
<b>MPRO</b>			
COLORADO	1,468,797	5,161,741	3,758,555
IOWA	1,340,441	4,164,433	4,022,979
KANSAS	1,159,121	3,926,891	1,994,938
MISSOURI	8,771,503	18,484,855	9,672,827
MONTANA	734,282	1,719,634	1,200,195

NEBRASKA	322,790	2,944,344	2,707,627
N DAKOTA	181,411	1,455,604	854,227
S DAKOTA	495,753	1,898,444	505,290
UTAH	2,967,919	5,559,259	0
WYOMING	716,932	839,967	836,619
SHOSHONE	10,261	50,478	9,335
UTE MTN	25,807	33,061	9,088
WINNEBAGO	16,153	61,986	33,533
CHEYENNE RIVER	20,129	125,329	208,512
ROSEBUD	0	148,586	92,755
STAND ROCK	171,970	241,886	184,681
3 AFFILIATED	32,758	60,421	126,142
OMAHA	3,988	29,730	53,085
ARAPAHO	26,466	98,093	130,479
SANTEE	614	14,082	37,164
SUBTOTAL	18,467,095	47,018,824	26,438,031
WRO			
ALASKA	810,500	932,881	2,130,449
ARIZONA	4,473,784	8,778,600	14,583,558
CALIFORNIA	42,322,322	58,891,229	52,213,411
GUAM	150,295	998,920	1,083,692
HAWAII	318,998	2,602,848	2,444,553
IDAHO	763,993	2,963,739	2,168,282
NEVADA	1,210,055	4,723,952	5,075,888
OREGON	588,922	7,283,374	7,383,359
WASHINGTON	2,603,046	5,886,510	34,006,168
ITCN	67,880	137,226	60,440
NAVAJO NATION	281,656	1,770,210	1,463,406
ITCA	403,984	1,051,669	675,466
AMERICAN SAMOA	62,011	430,246	1,201,783
N MARIANA	1,193,260	520,274	1,322,823
SUBTOTAL	55,250,706	96,971,678	125,813,278
NATIONAL	\$208,305,558	\$524,177,171	\$535,836,725

Mr. Kingston: Please provide the Committee with a table showing WIC infant participation that shows, by state, the total number of births and the number enrolled in the program for fiscal years 2008 through 2010.

Response: Final data from the National Center for Health Statistics (NCHS) indicate that there were 4.3 million live births in the United States and its territories in calendar year 2008. Preliminary data for 2009 indicate a decrease in live births to 4.2 million. Live birth data for 2010 are not yet available. About 52 percent of infants participated in the WIC program in 2008. This increased to 53 percent in 2009 using preliminary birth data.

Tables with final data for calendar year 2008, and preliminary data for calendar year 2009 are provided for the record. The number of live births in the United States is from the National Vital Statistics Reports published by the NCHS (vol. 59, no. 1 for calendar year 2008, and vol. 59, no. 3 for calendar year 2009.) Average monthly WIC participation figures are submitted

to FNS by WIC State Agencies. The estimated percentage of infants who were served by WIC is calculated by dividing average monthly WIC participation by the number of live births.

[The information follows:]

	Live Births, Calendar Year 2008, Final Data <sup>1</sup>	Average Monthly WIC Infant Participation <sup>2</sup> , Calendar Year 2008	Average Monthly Percent Served by WIC, Calendar Year 2008
Alabama	64,546	38,079	59%
Alaska	11,442	6,073	53%
American Samoa	1,332	1,153	87%
Arizona	99,442	53,708	54%
Arkansas	40,669	25,785	63%
California	551,779	322,198	58%
Colorado	70,031	26,369	38%
Connecticut	40,399	15,498	38%
Delaware	12,090	6,158	51%
District of Columbia	9,130	5,119	56%
Florida	231,445	123,892	54%
Georgia	146,603	80,931	55%
Guam	3,457	1,853	54%
Hawaii	19,484	8,524	44%
Idaho	25,149	10,325	41%
Illinois	176,795	86,210	49%
Indiana	88,742	43,783	49%
Iowa	40,224	17,185	43%
Kansas	41,833	19,020	45%
Kentucky	58,375	34,280	59%
Louisiana	65,268	42,200	65%
Maine	13,609	5,843	43%
Maryland	77,289	36,322	47%
Massachusetts	77,022	29,469	38%
Michigan	121,127	55,045	45%
Minnesota	72,421	32,828	45%
Mississippi	44,947	34,255	76%
Missouri	80,963	40,086	50%
Montana	12,594	5,150	41%
Nebraska	26,989	11,084	41%
Nevada	39,506	16,745	42%
New Hampshire	13,683	4,615	34%
New Jersey	112,710	41,844	37%
New Mexico	30,173	16,335	54%
New York	250,383	127,579	51%
North Carolina	130,839	68,617	52%
North Dakota	8,938	3,632	41%
Ohio	148,821	88,303	59%
Oklahoma	54,781	32,045	58%
Oregon	49,096	24,857	51%
Pennsylvania	149,273	62,957	42%
Puerto Rico	45,620	40,425	89%
Rhode Island	12,048	6,181	51%
South Carolina	63,071	37,533	60%
South Dakota	12,071	5,921	49%
Tennessee	85,560	48,130	56%
Texas	405,554	235,859	58%
Utah	55,634	15,226	27%
Vermont	6,339	3,320	52%
Virginia	106,686	40,161	38%
Virgin Islands	1,784	1,254	70%
Washington	90,321	41,235	46%
West Virginia	21,501	12,643	59%
Wisconsin	72,261	30,220	42%
Wyoming	8,038	3,300	41%
<b>United States<sup>3</sup></b>	<b>4,299,887</b>	<b>2,227,362</b>	<b>52%</b>

<sup>1</sup> National Vital Statistics Reports, Table 10, Volume 59, Number 1, December 2010<sup>2</sup> FNS program data, January, 2011. Participant counts for Indian Tribal Organizations are included in State totals.<sup>3</sup> This U.S. total excludes 1,265 births in the Commonwealth of the Northern Mariana Islands

	Live Births, Calendar Year 2009, Preliminary Data <sup>1</sup>	Average Monthly WIC Infant Participation <sup>2</sup> , Calendar Year 2009	Average Monthly Percent Served by WIC, Calendar Year 2009
Alabama	62,476	37,946	61%
Alaska	11,325	6,298	56%
American Samoa	1,340	1,213	91%
Arizona	92,816	52,380	56%
Arkansas	39,853	26,205	66%
California	527,011	310,750	59%
Colorado	68,627	27,267	40%
Connecticut	38,896	15,462	40%
Delaware	11,562	6,336	55%
District of Columbia	9,044	5,026	56%
Florida	221,391	124,390	56%
Georgia	141,375	78,294	55%
Guam	3,417	1,722	50%
Hawaii	18,888	8,835	47%
Idaho	23,731	10,531	44%
Illinois	171,255	85,113	50%
Indiana	86,698	44,803	52%
Iowa	39,700	17,668	45%
Kansas	41,396	19,521	47%
Kentucky	57,558	34,593	60%
Louisiana	64,988	41,802	64%
Maine	13,470	5,873	44%
Maryland	75,061	36,629	49%
Massachusetts	75,104	28,856	38%
Michigan	117,293	61,487	52%
Minnesota	70,648	31,109	44%
Mississippi	42,905	31,911	74%
Missouri	78,920	40,506	51%
Montana	12,261	5,308	43%
Nebraska	26,937	10,919	41%
Nevada	37,627	17,055	45%
New Hampshire	13,378	4,498	34%
New Jersey	110,324	42,198	38%
New Mexico	29,002	16,526	57%
New York	248,110	124,473	50%
North Carolina	126,846	68,333	54%
North Dakota	9,001	3,479	39%
Ohio	144,772	76,284	53%
Oklahoma	54,574	32,518	60%
Oregon	47,199	24,888	53%
Pennsylvania	146,432	63,403	43%
Puerto Rico	44,765	39,398	88%
Rhode Island	11,443	5,881	51%
South Carolina	60,632	37,536	62%
South Dakota	11,935	5,543	46%
Tennessee	82,213	47,467	58%
Texas	402,011	246,479	61%
Utah	53,887	18,545	34%
Vermont	6,109	3,187	52%
Virginia	105,056	39,574	38%
Virgin Islands	—	1,314	n.a.
Washington	89,284	43,129	48%
West Virginia	21,270	12,405	58%
Wisconsin	70,840	30,455	43%
Wyoming	7,884	3,372	43%
<b>United States<sup>3</sup></b>	<b>4,180,540</b>	<b>2,216,687</b>	<b>53%</b>

<sup>1</sup> National Vital Statistics Reports, Table 6, Volume 59, Number 3, December 2010<sup>2</sup> FNS program data, April, 2011. Participant counts for Indian Tribal Organizations are included in State totals.<sup>3</sup> The U.S. total excludes 1,110 births in the Commonwealth of the Northern Mariana Islands



Mr. Kingston: For total FNS resources available for this program, how many WIC clinics would be served by breastfeeding peer counselors? What percent of women would be able to receive counseling?

Response: Currently, all geographic WIC State agencies and all but four WIC Indian Tribal Organizations and Territories operate peer counseling programs in accordance with the FNS *Loving Support* Model. Data are not yet available on the impact of the fiscal year 2010 (\$80 million) funding on the number of local clinics operating peer counseling programs or the number of participants served. In fiscal year 2008, at the \$15 million funding level, approximately one quarter of local agencies operated peer counseling programs. The \$80 million represented the estimated cost to fund a peer counseling program at every WIC local agency. This figure was based on preliminary data from an evaluation of WIC peer counseling being conducted by FNS.

Findings from the FNS study regarding State agency strategies for the distribution of breastfeeding peer counseling funds for FY 2008 (at \$15 million level) include:

- More than half (59 percent) focused grant funds on a small number of local WIC agencies (LWAs), rather than making smaller amounts of funding available to all LWAs.
- Conversely, 27 percent distributed funds to as many sites as possible, rather than concentrating funding on relatively few sites.
- Thirty-three percent focused grants on start-up peer counseling programs.
- Fifty-five percent spent funds at the State level for program direction, training, reporting and related activities.

Mr. Kingston: Please provide for the record, the amount of NSA funds obligated for the previous five years. Include the amounts spent on program management, client services, nutrition education, and breastfeeding promotion within the total.

Response: The information is provided for the record.

[The information follows:]

WIC Program					
NSA Funds Obligated by State Agencies					
Fiscal Years 2006 - 2010					
Fiscal	Program	Client	Nutrition	Breastfeeding	Total NSA
Year	Management*	Services*	Education*	Promotion*	Expenditures*
2006	\$441,007,131	\$573,765,777	\$303,764,521	\$88,824,516	\$1,407,361,945
2007	\$467,716,002	\$595,860,117	\$324,441,956	\$98,077,478	\$1,486,095,553
2008	\$499,884,803	\$645,611,769	\$355,181,998	\$113,580,418	\$1,614,258,988
2009	\$557,973,409	\$709,575,365	\$399,355,475	\$129,068,499	\$1,795,972,748
2010	\$591,735,448	\$758,106,814	\$418,616,675	\$148,568,358	\$1,917,027,295
* Data Source: National Data Bank - WIC Program SNFA013 Reports for FYs 2006 - 2010					
(Report Date: 04/01/11).					

Mr. Kingston: What is the Department's estimation of inflation as it pertains to the WIC food package for FY 2011 and FY 2012?

Response: When preparing the estimate for the budget request, FNS uses two different methods for estimating food cost inflation. First, USDA's Economic Research Service (ERS) provides estimates for food cost inflation from the prior year (FY 2010) to the current year (FY 2011), and the Thrifty Food Plan (TFP) is used to inflate food costs from the current year to the budget year. During preparation of the budget request, ERS estimated food cost inflation from FY 2010 to FY 2011 at 0.39 percent, and the TFP was estimated to increase by 1.68 percent. However, program data is currently indicating that the actual increase in food costs in FY 2011 is likely to be higher than originally estimated.

#### COMMODITY ASSISTANCE PROGRAM

Mr. Kingston: Provide a table that shows, by state, how funds were actually spent during fiscal years 2008 through 2010 for the Commodity Assistance Program.

Response: The information is provided for the record.

[The information follows:]

## COMMODITY ASSISTANCE PROGRAM FUNDING, BY STATE

State/Territory	FY 2008	FY 2009	FY 2010
<i>Data in Thousands of Dollars</i>			
Alabama	\$1,150	\$1,590	\$1,798
Alaska	999	882	841
Arizona	5,726	5,922	6,098
Arkansas	842	1,048	1,645
California	25,276	30,356	35,307
Colorado	6,184	6,492	6,808
Connecticut	764	996	1,265
Delaware	206	278	633
District of Columbia	2,439	2,167	2,384
Florida	3,045	4,942	6,540
Georgia	2,668	3,934	4,919
Hawaii	88	174	280
Idaho	263	318	483
Illinois	6,255	6,913	8,713
Indiana	2,712	2,976	3,742
Iowa	1,883	2,188	2,407
Kansas	2,200	2,188	2,517
Kentucky	5,766	5,343	7,888
Louisiana	18,288	18,851	21,491
Maine	331	462	870
Maryland	1,035	1,583	1,623
Massachusetts	3,190	3,111	3,463
Michigan	25,024	26,637	28,036
Minnesota	5,310	5,729	6,193
Mississippi	2,915	3,129	3,272
Missouri	4,081	4,767	5,482
Montana	2,250	2,245	2,962
Nebraska	3,651	3,764	3,869
Nevada	2,184	2,390	2,655
New Hampshire	2,101	2,220	2,421
New Jersey	2,510	3,402	3,957
New Mexico	5,694	4,990	6,012
New York	16,297	16,908	18,991
North Carolina	2,137	2,882	4,001
North Dakota	870	953	1,108
Ohio	7,083	7,880	9,865
Oklahoma	757	977	1,796
Oregon	1,507	1,659	2,288
Pennsylvania	7,689	9,532	12,492

Rhode Island	342	423	524
South Carolina	2,228	2,636	3,245
South Dakota	1,050	1,058	1,401
Tennessee	5,150	4,757	6,487
Texas	11,393	12,696	15,721
Utah	350	511	806
Vermont	1,221	1,209	1,325
Virginia	1,326	1,861	1,996
Washington	2,627	3,233	3,995
West Virginia	468	657	690
Wisconsin	3,033	3,724	4,476
Wyoming	71	82	116
American Samoa	0	0	0
Guam	109	120	125
Marshall Islands	571	575	575
Northern Marianas	8	12	15
Puerto Rico	3,801	5,207	4,833
Virgin Islands	18	27	24
AMS/FSA/PCIMS Admin Exp	736	15	1,459
Anticipated Adjustment	5,345	37,113	44,873
<b>TOTAL</b>	<b>223,220</b>	<b>278,694</b>	<b>329,800</b>

Mr. Kingston: Please provide a table that shows a breakout by state of CSFP funding to include fiscal years 2008 through 2010.

Response: The information is provided for the record.

[The information follows:]

## Commodity Supplemental Food Program Funding

State/ Territory	Fiscal Year 2008*		Fiscal Year 2009*		Fiscal Year 2010**	
	Food \$	Admin \$	Food \$	Admin \$	Food \$	Admin \$
Alaska	\$521,556	\$134,803	\$433,343	\$11,463	\$422,451	\$17,832
Arizona	3,401,556	937,262	2,784,199	922,860	2,752,611	902,463
Arkansas					369,601	84,818
California	12,378,332	3,373,339	11,965,675	3,571,960	14,867,972	4,666,707
Colorado	4,241,846	1,104,198	4,245,591	1,145,406	4,278,349	1,078,757
Delaware					95,951	127,294
District of Columbia	1,552,716	434,945	1,195,325	444,960	1,440,277	451,265
Georgia					340,515	132,670
Illinois	2,607,649	869,405	2,336,641	907,540	3,051,779	1,061,287
Indiana	981,356	269,732	916,145	283,772	1,032,779	290,094
Iowa	708,951	216,086	664,562	217,362	683,493	230,299
Kansas	1,051,285	328,548	1,022,246	324,086	1,064,615	327,800
Kentucky	3,568,032	980,911	3,228,392	235,245	4,536,114	1,403,558
Louisiana	13,055,844	4,089,578	12,985,542	4,296,910	15,037,341	4,900,911
Maine					249,369	131,547
Michigan	17,530,638	4,861,625	17,253,348	5,143,695	18,031,383	5,496,441
Red Lake, Minnesota	16,871	6,204	15,660	6,503	17,078	6,653
Minnesota	3,332,021	881,829	3,023,707	933,752	3,373,123	1,006,147
Mississippi	1,590,314	437,969	1,481,761	464,985	1,777,966	477,224
Missouri	2,100,109	574,717	2,007,971	610,283	2,630,542	919,649
Montana	1,426,675	425,091	1,325,895	451,414	1,591,571	624,741
Nebraska	2,617,648	806,203	2,533,575	798,285	2,624,929	825,232
New Jersey					248,337	143,435
Nevada	1,375,144	371,461	1,261,810	353,080	1,516,039	357,975
New Hampshire	1,434,512	388,995	1,473,259	434,315	1,621,536	419,096
New Mexico	3,921,693	1,032,128	3,109,527	937,364	3,632,881	1,352,624
New York	7,258,180	1,947,032	6,187,338	2,061,672	6,924,592	2,160,124
North Carolina	248,518	75,126	236,123	38,158	265,095	77,836
North Dakota	593,085	175,413	602,716	185,741	688,399	188,293
Ohio	3,571,421	978,889	3,337,258	1,033,491	3,989,518	1,252,383
Oklahoma					289,874	82,093
Oregon	300,007	84,166	269,763	87,264	329,629	133,659
Pennsylvania	3,164,371	912,209	3,136,786	967,031	4,940,620	1,911,188
South Carolina	846,431	232,192	768,370	245,864	1,070,537	294,121
South Dakota	628,431	109,080	579,734	130,653	770,346	237,477
Oglala Sioux, South Dakota	144,324	30,000	124,683	31,021	141,092	41,277
Tennessee	2,846,873	901,025	2,614,796	352,722	3,221,374	897,185
Texas	3,820,681	676,534	3,381,540	1,059,687	4,683,065	1,488,059
Utah					51,983	141,426
Vermont	827,614	233,132	766,777	241,252	807,693	265,433
Washington	828,181	228,871	761,527	243,044	1,025,024	321,798
Wisconsin	1,095,062	302,510	1,150,841	336,130	1,625,923	608,974
Exp***	660,756				1,434,000	
Anticipated Adjustment	4,695,365	451,565	34,861,597	1,910,698	23,506,009	1,300,383
<b>TOTAL</b>	<b>110,944,048</b>	<b>29,862,773</b>	<b>134,044,023</b>	<b>31,419,668</b>	<b>143,053,375</b>	<b>38,838,228</b>

\* Excludes \$6.8 million in FY 2008, \$9.1 million in FY 2009 and \$6.7 million in FY 2010 in other costs (such as storage and transportation) for which state-level data are unavailable.

\*\*\*Refers to PCIMS/AMS/FSA/Computer Support charges that are subtracted from food funds.

Mr. Kingston: Provide a table showing the amount of commodities purchased with appropriated funds, the amount of commodities donated to the program and a total to include fiscal years 2008 through 2010 and estimates for fiscal years 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

Year	Commodities Appropriated	Commodities Donated to the Program	Total Commodities
2008	\$1,241,525,401	\$165,923,874	\$1,407,449,275
2009	\$1,244,475,024	\$546,865,567	\$1,791,340,591
2010	\$1,375,531,205	\$402,588,753	\$1,778,119,958
2011 (EST.)	\$1,344,842,800	\$576,361,200	\$1,921,204,000
2012 (EST.)	\$1,392,864,200	\$596,941,800	\$1,989,806,000

National Data Bank (NDB), USDA/Food and Nutrition Service; 2011, 2012 estimates from 2012 President's Budget

Mr. Kingston: Provide a table for the record, by state, which includes grants for the Senior Farmers Market Nutrition Program for fiscal years 2008 through 2010.

Response: The information is submitted for the record.

FY 2008-2010 Senior Farmers' Market Nutrition Program Grant Amounts

STATE	FY 2008	FY 2009	FY 2010
Alabama	\$1,732,673	\$1,732,673	\$1,719,180
Alaska	92,065	95,265	94,523
Arizona	161,111	161,111	159,857
Arkansas	119,666	123,826	122,862
California	809,837	837,988	831,462
Chickasaw Nation of Oklahoma	177,985	177,985	176,599
Connecticut	87,688	90,736	90,030
District of Columbia	154,926	160,312	159,063
Five Sandoval Indian Pueblos, Inc.	19,240	19,240	19,240
Florida	104,903	108,550	107,705
Georgia	250,000	258,690	256,675
Grand Traverse Band of Ottawa & Chippewa Indians	9,592	9,925	9,925
Hawaii	553,412	553,412	549,103
Illinois	852,695	882,336	875,465
Indiana	59,604	61,676	61,676
Iowa	573,087	593,009	588,391
Kansas	188,580	*	187,111
Kentucky	316,371	327,368	324,818
Louisiana	418,972	418,972	415,709
Maine	997,454	1,027,956	1,019,951
Maryland	224,622	232,430	230,620
Massachusetts	555,915	575,240	570,760
Michigan	241,701	250,103	248,155
Minnesota	118,536	122,657	121,702
Mississippi	102,388	102,388	101,591
Mississippi Choctaw	28,451	29,440	29,440
Montana	101,920	101,920	101,127
Nebraska	246,775	255,353	253,365

Nevada	164,125	169,830	168,508
New Hampshire	101,431	101,431	100,641
New Jersey	1,171,273	1,211,989	1,202,551
New Mexico	337,004	337,004	334,379
New York	1,906,553	1,972,827	1,957,463
North Carolina	86,083	89,075	88,382
Ohio	1,719,840	1,779,625	1,765,767
Oklahoma	*	75,000	75,000
Oregon	906,879	938,404	931,097
Osage Nation	38,140	38,140	38,140
Pennsylvania	1,907,481	1,973,789	1,958,418
Pueblo of San Felipe	17,474	17,474	17,474
Puerto Rico	1,000,000	1,034,762	1,026,704
Rhode Island	276,740	286,360	284,130
Standing Rock	22,200	22,200	22,200
South Carolina	638,737	660,941	655,794
Tennessee	545,887	564,863	560,465
Texas	*	124,287	123,319
Vermont	91,479	94,659	93,922
Virginia	474,337	490,825	487,003
Washington	241,576	249,974	248,028
West Virginia	544,630	544,630	540,388
Wisconsin	343,944	355,900	353,128
<b>NATIONAL TOTALS</b>	<b>\$21,835,982</b>	<b>\$22,444,551</b>	<b>\$22,459,007</b>

\* Did not participate in the program

Mr. Kingston: Please explain how many people, not caseload, USDA will serve in the CSFP for Fiscal Years 2011 and 2012.

Response: For 2011 and 2012, we anticipate caseload to match participation at 604,931. As of January 2011, average monthly participation was 580,576. Based on historic trends, which show participation increasing over the latter part of the year, we anticipate participation will continue to increase to an average of 604,931.

Mr. Kingston: Please provide a table showing SNAP participation and unemployment rates to include fiscal years 2006 through 2011 and 2012 estimates. Also, add a column that shows benefit costs.

Response: The information is submitted for the record.

[The information follows:]

Year	SNAP Participation <sup>1</sup>	Unemployment Rate <sup>2</sup>	Benefit Costs <sup>3</sup>
2006	26,548,833	4.6%	\$30,187,346,987
2007	26,316,045	4.6%	\$30,373,271,078
2008	28,222,625	5.8%	\$34,608,397,238
2009	33,489,975	9.3%	\$50,359,917,015
2010	40,301,666	9.6%	\$64,704,748,421
2011 (EST.)	45,005,951	9.3%	\$72,929,569,301
2012 (EST.)	44,981,250	8.6%	\$73,531,789,273

<sup>1</sup>National Data Bank (NDB), USDA/Food and Nutrition Service; 2011, 2012 estimates from 2012 President's Budget

<sup>2</sup>U.S. Bureau of Labor Statistics; 2011, 2012 estimates from latest OMB Economic Assumptions

<sup>3</sup>National Data Bank (NDB), USDA/Food and Nutrition Service

Mr. Kingston: Please provide a table showing FDIPIR participation levels from fiscal years 2008 through 2010.

Response: The information is submitted for the record.

[The information follows:]

FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS  
PARTICIPATION LEVELS  
(Average monthly participation)

Fiscal Year	Individuals
2008	90,153
2009	95,369
2010	84,577

Mr. Kingston: How has ERS provided practical, operational research to improve program operations? Please provide specific examples. What studies and evaluations would be performed by FNS if they are authorized? How would studies performed by ERS and FNS be defined to ensure no duplication?

Response: FNS and ERS have a study agenda that meets the needs of FNS as the action agency and ERS as a provider of economic information and research. In fiscal year 2010, for example ERS released a report on the cost of acquiring the recommended levels of fruits and vegetables for good health, launched a program of research on applying the lessons of "behavioral economics" and incentives to promote healthier choices through the Child Nutrition Programs, and provided an annual update on the extent of food insecurity in America. The two agencies consult frequently on research plans and priorities to avoid duplication, and collaborate to capitalize on the agencies' strengths and expertise. As an example of the latter, ERS analysis is helping to inform decisions on the cost and impact of regulations implementing the Healthy, Hunger-Free Kids Act of 2010.

At the same time, critical information gaps exist that are best filled by FNS. The funds requested for FNS in fiscal year 2012 will enable FNS to close some of these gaps with the focused, practical inquiries that can lead to effective policies. The President's Budget request includes continued



funding to support a range of important program assessment activities, including focused studies of program operations, development of comprehensive measures of program performance to inform and foster outcome-based planning and management, and technical assistance to States and communities for practical demonstrations of potential policy and program improvements. It also includes targeted increases for studies to support program integrity and meal quality in the Child Nutrition Programs. Plans for specific projects are still being finalized.

Mr. Kingston: Provide a list of all ongoing studies and evaluations that are being conducted in all areas of the agency including the Center for Nutrition Policy and Promotion. Include a brief description of the study, the total projected cost, the amount spent to date, when it started, when it will be completed, whether it is being done in-house or contracted out, who the contractor is, and whether it was mandated by law or not. Also include studies that were completed in fiscal year 2010.

Response: An updated list of all ongoing nutrition studies and evaluations conducted by FNS and the Center for Nutrition Policy and Promotion is included for the record. Unless an item specifically says that it is being done in-house, the research is being conducted through contracts, grants, and cooperative agreements with public and private organizations.

[The information follows:]

Food and Nutrition Service Studies and Evaluations  
Ongoing Studies

#### **Informing Depth of Stock Policy for SNAP Retailers**

This study explores options for new policies related to the types and amounts of foods SNAP retailers are required to sell to be eligible to accept SNAP benefits. To accomplish this task, a database populated with information from store visits, including general store characteristics, store conditions, types of non-food merchandise sold, and a detailed inventory of foods sold has been created. This database is being used to simulate a set of policy options with respect to revised definitions of staple foods, staple food categories, and number of units available in each category. Results of the analyses will describe the SNAP retailers that would and would not be qualified for SNAP authorization under each of the policy options, and will consider the impact on food access for SNAP participants.

Total Projected Cost:	\$263,393
Amount Spent to Date:	\$34,790
Start Date:	August 2010
Completion Date:	August 2011
Name of Contractor:	Mathematica Policy Research
Congressional Mandate:	No

#### **Workshop on Understanding the Relationship Between Food Insecurity and Obesity**

Recent research suggests that household food insecurity may be related to overweight in women and sometimes in children and men. However, these findings raise more questions than they resolve - it remains unclear whether food insecurity causes excess weight gain that leads to obesity, why food security might be related to obesity, and the pathway through which its

influence might be felt. It is not likely that further analysis of pertinent existing data, which is relatively limited, will shed further light on these issues. The purpose of this project was to conduct a workshop to assess the current state of research and propose new data, analyses, or other means to push the science base forward and help guide future research investments. At a 2.5 day workshop in November 2010, more than 40 experts, representing diverse disciplines, addressed a variety of questions. The workshop summary, including areas for future research, was released electronically; hard copies of the report are now being produced.

Total Projected Cost:	\$386,012
Amount Spent to Date:	\$150,810
Start Date:	April 2010
Completion Date:	June 2011
Name of Contractor:	National Academies, Institute of Medicine
Congressional Mandate:	No

#### **Performance Standards and Reporting For Special Nutrition Assistance Program Modernization Initiatives**

In this study, the SNAP performance standards and reporting requirements are reviewed as they pertain to modernization. Major goals of the study are to (1) create a comprehensive menu of performance measures, (2) use the template to systematically capture performance measures and standards that are in place both nationally and by state, (3) assess alternative performance measures and standards - both those in use and potential options; and (4) propose an initial framework for a uniform set of performance measures and standards for FNS and state consideration.

Total Projected Cost:	\$1,498,508
Amount Spent to Date:	\$1,076,932
Start Date:	September 2008
Completion Date:	April 2012
Name of Contractor:	Mathematica Policy Research
Congressional Mandate:	No

#### **In-depth Case Studies of Advanced Modernization Initiatives**

This study is systematically examining the modernization initiatives in six states that have more comprehensive and mature technology, organizational, partnership and policy changes. The study will provide a better understanding of the relationship of the states' modernization activities with program efficiency, access, and integrity. Both new and extant data will be used to describe SNAP performance before, during and after the states' modernization initiatives.

Total Projected Cost:	\$1,890,690
Amount Spent to Date:	\$626,385
Start Date:	September 2009
Completion Date:	September 2012
Name of Contractor:	Mathematica Policy Research
Congressional Mandate:	No

**Assessment of Alternatives to Face-to-Face Interviews in the Supplemental Nutrition Assistance Program**

This study is a rigorous evaluation of the impact of the no-interview approach to client screening when certifying applicants for SNAP benefits on error rates, benefit levels, administrative efficiency and customer satisfaction. The evaluation will be conducted in three states.

Total Projected Cost:	\$1,998,362
Amount Spent to Date:	\$0
Start Date:	September 2010
Completion Date:	July 2014
Name of Contractor:	Mathematica Policy Research
Congressional Mandate	No

**Models of SNAP-Ed and Evaluation (SNAP-Ed I)**

The objective of this project is to determine whether the four competitively selected projects SNAP-Ed projects (1) positively impact the nutrition and health behaviors of SNAP participants while adhering to FNS Guiding Principles, (2) exhibit the potential to serve as models of effective nutrition intervention for large segments of the SNAP audience and (3) provide methodologically robust yet logistically practical examples of project-level SNAP-Ed impact evaluation. Four demonstration sites were competitively selected and implemented SNAP Ed programs during FY2010. Final reports are now in preparation.

Total Projected Cost:	\$2,584,434
Amount Spent to Date:	\$2,413,043
Start Date:	September 2008
Completion Date:	September 2011
Name of Contractor:	Altarum and Research Triangle Institutes
Congressional Mandate:	No

**Evaluation of SNAP Nutrition Education Practices (SNAP-Ed II)**

This project is a follow-on to SNAP-Ed I (see description above). The research objectives are the same as those for SNAP-Ed I, but this second round, the three competitively chosen projects offer more intensive nutrition education. Given the large number and wide variety of nutrition education initiatives currently in operation, an additional set of projects expands the Agency's ability to identify best practices.

Total Projected Cost:	\$2,350,922
Amount Spent to Date:	\$585,026
Start Date:	September 2009
Completion Date:	August 2013
Name of Contractor:	Altarum and Research Triangle Institutes
Congressional Mandate:	No

**Evaluation of Increasing SNAP Participation Among Medicare's Extra Help Population Pilot Projects**

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (PL 111-80) provides the Food and Nutrition Service (FNS) with funds to test the effectiveness of pilot projects designed to increase elderly participation in the Supplemental Nutrition Assistance

Program (SNAP; formerly known as the Food Stamp Program). Historically, elderly individuals who are eligible for SNAP have the lowest participation rates among all demographic groups. The pilot projects seek to increase participation in SNAP among beneficiaries of Medicare's Extra Help (also called the Low Income Subsidy or LIS) by using data from LIS applications. Since Extra Help and SNAP eligibility requirements are not identical, these pilot projects will test the most effective method of using LIS application data to increase SNAP participation among Extra Help beneficiaries who are eligible but not participating in SNAP.

Total Project Cost: \$2,718,407  
 Amount Spent to Date: \$79,732  
 Start Date: September 2010  
 Completion Date: September 2014  
 Name of Contractor: Mathematica Policy Research  
 Congressional Mandate: Yes

**Dynamics of Supplemental Nutrition Assistance Program Participation in the Mid-2000s**

The objective of this study is to analyze household movement in and out of the Supplemental Nutrition Assistance Program (SNAP), with particular attention to updating measures of SNAP participation dynamics and information on the circumstances that trigger entry to the program and influence participation spell lengths.

Total Projected Cost: \$435,202  
 Amount Spent to Date: \$34,835  
 Start Date: August 2010  
 Completion Date: August 2011  
 Name of Contractor: Decision Demographics, Inc.  
 Congressional Mandate: No

**Measuring SNAP and Other Nutrition Assistance Program Access, Trends, and Impacts (2009-2011)**

This contract provided support for estimating effects of potential program changes and for short-turnaround analyses of current issues from September, 2009 - January, 2011. In addition, it includes analysis of SNAP participation rate for FY 2009 (ongoing) and household characteristics for FY 2009 (completed). A small number of short studies, e.g., comparison of utility and shelter expenses, are currently being completed in the remaining months of this contract.

Total Projected Cost: \$2,596,490  
 Amount Spent to Date: \$2,380,845  
 Start Date: September 2009  
 Completion Date: July 2011  
 Name of Contractor: Mathematica Policy Research,  
 Congressional Mandate: No

**Measuring SNAP and Other Nutrition Assistance Program Access, Trends, and Impacts (2011-2015)**

This contract is providing support for estimating effects of potential program changes and for short-turnaround analyses of current issues from February, 2011 through 2015. In addition, it includes periodic analysis of

participation and household characteristics, and for methodological work to improve future analytic capacities. Impact analyses under the contract support many FNS legislative and budgetary proposals every year. Other organizations, such as the Congressional Budget Office, community organizations, and private research firms, rely on the regular publication of these studies.

Total Projected Cost: \$7,500,000  
 Amount Spent to Date: \$213,720  
 Start Date: January 2011  
 Completion Date: January 2016  
 Name of Contractor: Mathematica Policy Research  
 Congressional Mandate: No

**Evaluation of Reaching the Underserved Elderly and Working Poor in SNAP Pilot Grants**

This project evaluates six demonstration projects that focus on increasing SNAP access to either the working poor or the elderly. The study is using a double-difference design, examining changes in caseloads during the demonstrations compared to before and after the demonstration projects and compared to in control sites. It also examines the impact of the pilots on program costs.

Total Projected Cost: \$1,494,967  
 Amount Spent to Date: \$442,951  
 Start Date: September 2009  
 Completion Date: September 2013  
 Name of Contractor: Mathematica Policy Research  
 Congressional Mandate: No

**Healthy Incentives Pilot (HIP) Evaluation**

This project will evaluate the impacts of Healthy Incentives Pilot on the consumption of fruits and vegetables among participants in the Supplemental Nutrition Assistance Program (SNAP). Pilot test participants, in Hamden County, Massachusetts, will earn financial incentives at the point-of-sale for fruits and vegetables purchased with SNAP benefits. The evaluation utilizes random assignment of SNAP participants to treatment and control groups and a rigorous 24-hour dietary recall interview methodology for collecting dietary intake data. Data will also be collected from SNAP retailers, MA Department of Transitional Assistance staff, and community partners to (1) describe the process of implementing HIP; (2) assess outcomes for State and local SNAP staff, their community partners, and SNAP retailers; and (3) determine costs associated with pilot and any potential expansion.

Total Projected Cost: \$9,827,083  
 Amount Spent to Date: \$793,320  
 Start Date: July 2010  
 Completion Date: December 2013  
 Name of Contractor: Abt Associates, Inc.  
 Congressional Mandate: Yes

**Nutrition Assistance in Farmers Markets: Understanding Current Operations**

The objective of this study is to better understand the diverse operational contexts of farmers markets and how USDA nutrition assistance programs, particularly SNAP, are/can be integrated into these environments. A nationally-representative survey of farmers market managers and direct marketing farmers will be conducted to identify operational characteristics associated with SNAP participation and respondents' perceptions of barriers and facilitators to their participation as a SNAP-authorized retailer.

Total Projected Cost: \$1,175,268  
 Amount Spent to Date: \$349,534  
 Start Date: September 2010  
 Completion Date: September 2012  
 Name of Contractor: Westat, Inc.  
 Congressional Mandate: No

**The Effect of Supplemental Nutrition Assistance Program Participation on Food Security**

The objective of this project is determine how, if at all, the prevalence of household food insecurity and amount of food expenditures vary with SNAP participation; to determine how, if at all, the observed results vary by key household characteristics and circumstances; and to determine what factors distinguish between food-secure and food-insecure SNAP households with children.

Projected Total Cost: \$3,999,607  
 Amount Spent to Date: \$198,908  
 Start Date: July 2010  
 Completion Date: May 2013  
 Name of Contractor: Mathematica Policy Research, Inc.  
 Congressional Mandate: No

**Understanding Childhood Hunger**

The objective of this research grant program is to develop a clearer and more comprehensive understanding of why children experience very low food security in the United States. Nutrition assistance programs address the economic factors that are associated with hunger, and food insecurity measures describe the experience of disrupted eating patterns or reduced intake due to limited resources. The ensuing research grants will produce information that can form an integrated research framework, stimulate new and innovative research on childhood hunger, and examine the implications for nutrition assistance programs.

Total Projected Cost: \$2,450,000  
 Amount Spent to Date: \$60,046  
 Start Date: September 2010  
 Completion Date: May 2014  
 Name of Contractor: University of Kentucky Research Foundation  
 Congressional Mandate: No

**School Food Purchase Study III**

The 2008 Farm Bill requires the Secretary to carry out a nationally representative survey of the foods purchased by school food authorities

participating in the National School Lunch Program (NSLP). This study will provide national estimates of the type, volume, and dollar value of food acquired by public school districts participating in NSLP. Unlike the previous two school food purchase studies, it will include school districts from Alaska, Hawaii, and Puerto Rico. The study will examine shifts in the type and mix of foods acquired compared to the previous school food purchase study (SY 1996/97).

Total Projected Cost: \$2,712,221  
 Amount Spent to Date: \$2,077,132  
 Start Date: October 2008  
 Completion Date: February 2012  
 Name of Contractor: Promar International, Inc.  
 Congressional Mandate: Yes - P.L. 110-246

#### **Special Nutrition Program Operations Study**

This study will collect information needed to address current policy issues related to the Special Nutrition Programs. The study is designed to collect data from a nationally representative sample of about 1,500 school food authorities (SFAs) and all Child Nutrition State Agencies. Data collection for the base year will occur in School Year 2011-12 with optional data collection from the same sample of SFAs to occur the following two school years. This ongoing survey capability is intended to reduce FNS' information collection costs and reduce the length of time necessary to obtain required data and thus provide information in a timelier manner.

Total Projected Cost: \$1,000,000  
 Amount Spent to Date: \$180,051  
 Start Date: July 2010  
 Completion Date: July 2012  
 Name of Contractor: Westat  
 Congressional Mandate: No

#### **School Nutrition Dietary Assessment Study-IV**

This contract enables FNS to measure the nutritional content and quality of meals served in the school meals programs. Data is collected from a nationally representative sample of public schools in the National School Lunch Program (NSLP) in order to examine the school environment, food service operating practices, student participation and other characteristics of schools and School Food Authorities (SFAs) in the NSLP and School Breakfast Program (SBP); examine school meal participation, determine the content of meals offered and served to students; and compare findings to previously conducted studies on school meals. Findings will address the foods and nutrients in meals offered and served (selected), and provide updated information on the school nutrition environment.

Total Projected Cost: \$4,416,768  
 Amount Spent to Date: \$2,739,500  
 Start Date: September 2008  
 Completion Date: December 2011  
 Name of Contractor: Mathematica Policy Research, Inc.  
 Congressional Mandate: No

**National School Lunch Program-Direct Certification Study**

Use of direct certification has increased since the 2004 reauthorization but is still not universal, despite the mandate. The core aims of the study are to describe current direct certification processes and procedures employed by States and LEAs; explore the relationship between these methods and overall direct certification performance measures; and identify steps for continuous improvement in data-matching techniques and tools to increase matching rates.

Total Projected Cost: \$999,964  
 Amount Spent to Date: \$96,009  
 Start Date: September 2010  
 Completion Date: September 2012  
 Name of Contractor: Mathematica Policy Research, Inc.  
 Congressional Mandate: No

**Developing and Evaluating Methods for Using American Community Survey Data to Support the School Meals Programs**

FNS has commissioned the Committee on National Statistics (CNSTAT) of the National Academies to convene an expert panel to study the technical and operational issues that arise in using data from the American Community Survey (ACS) to obtain estimates of students who are eligible for free or reduced-price meals for schools and school districts. Such estimates would be used to develop "claiming percentages" that could be used to determine federal reimbursements to districts for the schools that provide free meals to all students under a new special provision that eliminates the base-year requirements of current provisions. An interim report (<http://www.fns.usda.gov/ora/MENU/Published/CNP/FILES/SchoolMealsfnnl.pdf>) was published in September 2010 that presents the panel's detailed technical approach to conducting the study. The panel will evaluate the quality of estimates for school districts and schools in terms of sampling error, model bias, timeliness, and other properties that affect their fitness for use in determining reimbursements to school districts. Using data from five case studies, the panel will describe the conditions that would render a new special provision more or less attractive to school districts. Finally, the panel will consider the operational feasibility of estimation methods and identify the administrative agreements and procedures needed to ensure that the recommended methods can be implemented in practice.

Total Projected Cost: \$1,373,700  
 Amount Spent to Date: \$783,646  
 Start Date: April 2009  
 Completion Date: April 2012  
 Name of Contractor: Committee on National  
 Statistics of the National  
 Academies  
 Congressional Mandate: No

**Regional Office Review of Applications**

This project will review a national sample of NSLP applications collected annually by FNS regional offices to determine the extent of administrative error incurred during local educational agencies approval process of applications for free and reduced-price meals in the National School Lunch Program. These administrative error rates are reported to comply with the Improper Payments Information Act of 2002. The information captured reflects



the accuracy of local determinations of household size and gross monthly income and meal price status based on the information provided on applications.

Total Projected Cost: 0.90 FTEs  
 Amount Spent to Date: 0.35 FTEs  
 Start Date: September 2010  
 Completion Date: December 2011  
 Name of Contractor: In-house  
 Congressional Mandate: No

#### **Fresh Fruit and Vegetable Program Evaluation**

The Food, Conservation, and Energy Act of 2008 directed the Food and Nutrition Service (FNS) to conduct an evaluation of the expanded Fresh Fruit and Vegetable Program (FFVP). This study includes a national sample of 6,144 students in 16 States among 832 schools. Schools sampled in each State will include FFVP schools that are just above each State's participation cutoff. The experiences of students in these FFVP schools will be compared to the experiences of students in schools that applied to the Program, but due to funding limitations just missed the cutoff. The study has a single wave of data collection using 24-hour dietary recalls, web-based surveys, and interviews. Data collection has begun. An Interim Report will be submitted to Congress in September 2011; the final report will be available in 2012.

Total Projected Cost: \$3,526,167  
 Amount Spent to Date: \$1,579,742  
 Start Date: July 2009  
 Completion Date: April 2012 (Projected)  
 Name of Contractor: Abt Associates Inc.  
 Congressionally Mandated: Yes -Farm Bill, Public Law 110-234

#### **Modeling of High Risk Indicators of Certification Errors in the NSLP**

The objectives of this study are to develop a model of high risk indicators of certification error for public Local Education Agencies (LEAs), as well as a monitoring tool for use by State Agencies to evaluate LEAs' relative certification error risk. This study uses FNS secondary data over multiple years to examine household reporting, administrative, and total error to develop the models for public LEAs. This study also develops a monitoring tool using model parameters to automate the process of annually evaluating LEAs risks. It is planned that States will be able to use the tool to output a ranking of LEAs by risk. Tool development is in process.

Total Projected Cost: \$432,602  
 Amount Spent to Date: \$185,000  
 Start Date: August 2009  
 Completion Date: October 2011  
 Name of Contractor: Mathematica Policy Research  
 Congressionally Mandated: No

#### **Review of NSLP and SBP Meal Patterns and Nutrient Requirements and Review of CACFP Meal Requirements**

*School Meals: Building Blocks for Healthy Children* - FNS commissioned the Institute of Medicine (IOM) to provide recommendations to revise the nutrition- and food-related standards and requirements for the National

School Lunch and School Breakfast programs. An expert committee was formed and it used the 2005 *Dietary Guidelines for Americans* and the IOM's Dietary Reference Intakes for its assessment. A final report was issued in February 2010, and was used to inform the development of a proposed rule to update NSLP nutrition standards.

*Child and Adult Care Food Program: Aligning Dietary Guidance for All* - FNS commissioned the Institute of Medicine to convene a panel of experts to undertake a study to review and recommend revisions to the meal pattern requirements for the Child and Adult Care Food Program (CACFP). The major objective was to develop practical recommendations that would bring CACFP meals and snacks into alignment with current dietary guidance. A report was released in November 2010.

(Contract covers both studies.)

Total Projected Cost:	\$2,491,673
Amount Spent to Date:	\$2,120,038
Start Date:	February 2008
Completion Date:	December 2011
Name of Contractor:	Institute of Medicine
Congressional Mandate:	No

**Nutrient and MyPyramid Analysis of USDA Foods in the NSLP, CACFP, CSFP, TEFAP, and FDIPIR**

This study will carry out a nutrient and food group analyses of USDA foods distributed through the National School Lunch Program (NSLP), Child and Adult Care Food Program (CACFP), Commodity Supplemental Food Program (CSFP), The Emergency Food Assistance Program (TEFAP) and the Food Distribution Program on Indian Reservations (FDPIR). This report is an update and expansion of the analyses contained in FDIPIR Food Package Nutritional Quality: Report to Congress([http://www.fns.usda.gov/ora/menu/Published/CNP/FILES/FDIPIR\\_FoodPackage\\_Summary.pdf](http://www.fns.usda.gov/ora/menu/Published/CNP/FILES/FDIPIR_FoodPackage_Summary.pdf)). The analysis includes two broad analyses. The first will assess the nutritional quality of the USDA foods made available to the NSLP, CACFP, CSFP, TEFAP and FDIPIR. The second should be weighted appropriately for the mix of USDA foods actually distributed through these programs. These analyses will establish baseline nutritional profiles for USDA foods in the NSLP, CACFP, CSFP, TEFAP and FDIPIR.

Total Projected Cost:	\$104,974
Amount Spent to Date:	\$51,212
Start Date:	September 2010
Completion Date:	May 2011
Name of Contractor:	Westat
Congressional Mandate:	No

**Direct Certification Report to Congress SY 2010-2011**

This study responds to the legislative requirement of Public Law 110-246 to assess the effectiveness of State and local efforts to directly certify children for free school meals. Under direct certification, children are determined eligible for free school meals without the need for household applications by using data from other means-tested programs. The 2004 Child Nutrition and WIC Reauthorization Act required local educational agencies (LEAs) to establish a system of direct certification of children from

households that receive Supplemental Nutrition Assistance Program (SNAP) benefits by School Year (SY) 2008-2009.

Total Projected Cost: \$89,268  
 Amount Spent to Date: \$0  
 Start Date: April 2011  
 Completion Date: October 2011  
 Name of Contractor: Mathematica Policy Research  
 Congressional Mandate: Yes - Public Law 110-246

**Child and Adult Care Food Program (CACFP) At Risk After School Meal Program Best Practices Report**

This study responds to the requirement in the Healthy, Hunger-free Kids Act of 2010, Sec 337 that FNS must submit a report to Congress that addresses best practices for soliciting sponsors and any federal or state laws that may be a barrier to participation of the at-risk after school meal program. The analysis will select 9 States from a pool of 14 States that are currently participating in the CACFP at-risk after school meal program; gather information on various practices in these States; and submit a report that describes the findings to FNS. Objectives of the report include identifying success indicators, constraints and opportunities in operating the at-risk program (such as recruiting sponsors, identifying local champions, and their implementation of the at-risk program), identifying challenges and barriers (such as State and local licensing requirements), and identifying strategies for addressing implementation barriers.

Total Projected Cost: \$69,113  
 Amount Spent to Date: \$0  
 Start Date: April 2011  
 Completion Date: November 2011  
 Name of Contractor: Westat  
 Congressional Mandate: Yes - Healthy, Hunger-free Kids Act of 2010, Sec 337

**CACFP Program Assessment of Sponsor Tiering Determination 2010**

The Improper Payments Information Act of 2002 (Act) (Public Law 107-300) requires the Department of Agriculture (USDA) to identify and reduce erroneous over- and under-payments in various programs, including the Child and Adult Care Food Program (CACFP). CACFP makes nutritious meals and snacks available each day to children and adults who are enrolled in participating child-care centers, day-care homes, and adult day-care centers. The objective of the current project is to develop an estimate of the extent to which sponsors' misclassify family child day-care homes (FDCHs) as Tier I or Tier II for program reimbursement of meal claims. a key requirement of FNS' overall plan to assess and reduce erroneous payments.

Total Projected Cost: \$255,484  
 Amount Spent to Date: \$141,046  
 Start Date: July 2010  
 Completion Date: August 2011  
 Name of Contractor: Abt Associates, Inc.  
 Congressional Mandate: Yes (supports compliance with PL 107-300)

**Child and Adult Care Food Program (CACFP) Improper Payments Meal Claims Assessment 2010**

The Improper Payments Information Act of 2002 (IPIA, Public Law 107-300) requires all Federal agencies to calculate the amount of improper payments in Federal programs and to periodically conduct detailed assessments of vulnerable program components. This study of the family day care home (FDCH) component of the Child and Adult Care Family Program (CACFP) is designed to develop estimates of the rate and cost of meals in 2010 claimed by FDCHs and reimbursed in error. The sampling, data collection, analysis and reporting plans are designed to conduct a feasibility analysis of the research methodology using a nationally distributed subsample of the national sample frame of sponsors, FDCH providers and parents.

Total Projected Cost: \$898,371  
 Amount Spent to Date: \$84,436  
 Start Date: June 2010  
 Completion Date: February 2012  
 Name of Contractor: ICF Macro International, Inc  
 Congressional Mandate: Yes (supports compliance with PL 107-300)

**Evaluation of Impact of Incentives Demonstrations on Participation in the Summer Food Service Program (Wave I)**

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2010 (P.L. 111-80) provided funds for the United States Department of Agriculture's (USDA) Food and Nutrition Service (FNS) to carry out a series of demonstration projects aimed at preventing food insecurity and hunger among children during the summer months when schools are not in session. The demonstrations, collectively titled the Summer Food for Children demonstrations, are aimed at improving low-income children's access to nutrition assistance during the summer months. In 2010, FNS developed and tested two innovative strategies to increase participation in the Summer Food Service Program (SFSP). These enhancement demonstrations included provisions for:

1. Incentives for sponsors to extend the duration of program operations (called the 'Extending Length of Operation Incentive Project' and
2. Funds for enrichment activities at sites (called the 'Activity Incentive Project').

The purpose of the study is to present the findings from these multiyear demonstrations. These demonstrations are expected to reduce food insecurity among low-income children by increasing access to and participation in the SFSP.

Total Projected Cost: \$302,571  
 Amount Spent to Date: \$0  
 Start Date: August 2010  
 Completion Date: June 2012  
 Name of Contractor: Insight Policy Research, Inc.  
 Congressional Mandate: Yes - The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2010 (P.L. 111-80)

**Evaluation of the Summer Food Service Program Enhancement Demonstrations  
(Wave II)**

For summer 2011, two types of Summer Food Service Program (SFSP) enhancement demonstration projects will be implemented and evaluated:

*Home Delivery Demonstration Project:* This project will provide funding for approved sponsors in the selected State(s) to develop ways to deliver summer meals to eligible children in rural areas at a sustainable cost. This may include identification of and delivery to homes of children certified for free or reduced-price school meals, to drop-off sites where parents have been informed they or their eligible children can collect the meal for off-site consumption, or other methods of providing meals that are exempt from the congregate feeding requirement.

*Food Backpack Demonstration Project:* This demonstration will supplement the traditional SFSP by utilizing an additional method of meal delivery during the summer on days that meals are not available at SFSP sites by providing eligible children with food backpacks to take home with meals to cover the days that SFSP meals are not available, typically on the weekends. Approved sponsors must operate a congregate meal site under the SFSP for a majority of the week and use the backpacks to supplement the traditional meal service. Backpacks are not intended to replace a congregate meal program nor reduce the number of days a congregate meal program operates.

Total Projected Cost:	\$ 1,475,315
Amount Spent to Date:	\$ 68,054
Start Date:	December 2010
Completion Date:	September 2013
Name of Contractor:	Westat
Congressional Mandate:	Yes - The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2010 (P.L. 111-80)

**Evaluation of the Impact of the Summer Food for Children Household-based  
Demonstrations on Food Insecurity**

The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2010 (P.L. 111-80) provided funds and authority for FNS to conduct and rigorously evaluate the Summer EBT for Children (SEBTC) demonstrations—that provide food assistance to households with school-aged children during the summer. The benefits will be delivered through the electronic benefit transfer (EBT) procedures used by the SNAP and WIC programs. The evaluation of SEBTC has three broad objectives: (1) to examine the impact of SEBTC on the prevalence of very low food security and other measures of food security among children, their nutritional status, household food expenditures, and household participation in nutrition assistance programs, (2) to describe receipt and use of the benefits, and (3) to examine the feasibility of implementing the SEBTC, and to document its costs, the approaches used, and the challenges and lessons learned during the demonstrations.

Total Projected Cost: \$24,499,752  
 Amount Spent to Date: \$400,538  
 Start Date: December 2010  
 Completion Date: July 2013  
 Name of Contractor: Abt Associates, Mathematica Policy Research, Imadgen  
 Congressional Mandate: Yes - The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act of 2010 (P.L. 111-80)

#### **WIC Participant and Program Characteristics - 2010**

Data for this project has been generated from WIC State management information systems biennially since 1992, based on a near census of WIC participants as they are enrolled in the program. The project's report will summarize demographic characteristics of WIC participants nationwide in April 2010, along with information on participant income and nutrition risk characteristics. The report will also describe WIC members of migrant farm-worker families. A national estimate of breastfeeding initiation for WIC infants will be included.

Total Projected Cost: \$858,258  
 Amount Spent to Date: \$551,654  
 Start Date: May 2009  
 Completion Date: December 2012  
 Name of Contractor: Abt Associates, Inc  
 Congressional Mandate: No

#### **Evaluation of the Birth Month Breastfeeding Changes to the WIC Food Packages**

In 2009 the WIC Food Packages were revised based on recommendations from the Institute of Medicine (IOM). The IOM recommended that FNS study the impact of the changes on breastfeeding. This study responds to the IOM recommendation and gathers information from 16 local WIC agencies (LWAs) and the States. The study also gathers contextual information about the LWAs (e.g., size and composition, other efforts to promote breastfeeding) and about the planned and actual implementation of the Interim rule as it relates to the breastfeeding options at the State and the LWA levels. Study research questions address Food Package Choices, the incidence, duration, and intensity of breastfeeding, and how local WIC agencies implement the food package changes.

Total Projected Cost: \$2,437,830  
 Amount Spent to Date: \$1,834,980  
 Start Date: August 2008  
 Completion Date: August 2011  
 Name of Contractor: Abt Associates, Inc.  
 Congressional Mandate: No

#### **State Food Package Policy Options Study**

The interim final rule updating the WIC food packages was implemented by State WIC agencies by October 2009. Implementation required a complex set of policy decisions by each State regarding specific foods, food brands and package sizes, vendor minimum stock requirements, and other administrative choices available to the States under the rule. This study describes the variety of State choices and provides operational information useful in developing the final rule.

Total Projected Cost: \$367,063  
 Amount Spent to Date: \$263,095  
 Start Date: September 2009  
 Completion Date: September 2011  
 Name of Contractor: Mathematica Policy Research, Inc.  
 Congressional Mandate: No

#### **WIC Breastfeeding Peer Counseling Study**

This has two components: an implementation study (Phase 1) and an impact study (Phase 2). Phase 1, published in spring 2010, presented a comprehensive and detailed picture of how the *Loving Support* Peer Counseling Program was implemented in States and local WIC agencies (LWAs) throughout the country. One important finding of this first phase was that there is variation in the implementation of the *Loving Support* peer counseling program in local WIC agencies, particularly variation in the frequency, timing and location of in-person peer counseling offered to WIC participants pre- and post-partum. The Phase 2 study will examine how specific variations in implementing peer counseling using the *Loving Support* model affect breastfeeding outcomes.

Total Projected Cost: \$2,555,587  
 Amount Spent to Date: \$1,154,430  
 Start Date: September 2006  
 Completion Date: December 2013  
 Name of Contractor: Abt Associates, Inc.  
 Congressional Mandate: No

#### **National Survey of WIC Participants II**

This project updates information on nutritional risks, sources of food assistance, family composition, health insurance coverage, and provides national estimates of income certification error and the dollar level of certification related overpayment and underpayment in the program. The survey also supports FNS compliance with the Improper Payments Information Act of 2002 (IPIA). The survey expands upon the previous design by providing national estimates of income certification error and the dollar level of certification-related overpayment and underpayment in the Program. This project also develops and tests a methodology to age improper payment estimates. In addition, information from this survey will be used by FNS, State and local agencies in decision-making to update services to most effectively meet participants' needs. State and local agency data collection and participant surveys have been completed. Final reports are currently undergoing revisions.

Total Projected Cost: \$2,764,862  
 Amount Spent to Date: \$2,495,882  
 Start Date: October 2007  
 Completion Date: August 2011 (Projected)  
 Name of Contractor: ICF Macro  
 Congressionally Mandated: No

#### **Annual Measures of Erroneous Payments to WIC Vendors**

About every 7 years, FNS conducts a national survey of WIC vendors and produces national measures of payment error estimated from in-store compliance buys to meet the requirements of the *Improper Payment Information*

Act (IPIA 2002). The last such study collected data in 2004-05. In interim years, this project ages and updates the survey data to produce annual national estimates of WIC vendor payment error. This study's objectives are to: calculate an annual measure of erroneous payments to WIC vendors that is compliant with the requirements of IPIA; train FNS staff on how to perform the calculation in future years; and suggest ways in which FNS and/or State agencies can better target future reviews of WIC vendors and/or improve sources of relevant data. Final reports are currently undergoing revisions.

Total Projected Cost: \$436,200  
 Amount Spent to Date: \$429,200  
 Start Date: July 2006  
 Completion Date: May 2011(Projected)  
 Name of Contractor: ICF Macro  
 Congressionally Mandated: No

#### **WIC-Medicaid Cost-Benefit Study**

The first FNS-sponsored WIC Medicaid Study, published in 1991, found that in 1987-88, every dollar spent on WIC services to low-income pregnant women saved \$1.77 to \$3.13 in Medicaid cost during the first 60 days following delivery. The present study will explore the feasibility of 1) replicating this study to update the findings, and 2) extending the exploration of WIC cost-benefit and cost-effectiveness for pregnant women and other categories of WIC participants. The contract includes an option to extend the study to additional States if the analysis proves feasible. The cost and timing information provided below includes only the feasibility study.

Total Projected Cost: \$1,757,160  
 Amount Spent to Date: \$ 234,709  
 Start Date: August 2010  
 Completion Date: August 2012  
 Name of Contractor: Mathematica  
 Congressional Mandate: No

#### **Potential Uses of the National Children's Study**

The National Children's Study - led by DHHS and the Environmental Protection Agency - will examine the effects of environmental, biological, genetic, and psychosocial influences on the health and development of 100,000 children across the United States, following them from before birth until age 21. This project will explore the potential use of the study to address critical WIC program research questions, by commissioning experts to develop descriptive papers that: 1) identify information planned for collection through the study that could be helpful in assessing WIC impacts and improving policy and operations; 2) delineate data limitations, and potential steps to minimize their impact; and 3) identify questions that could feasibly be added to the study to further enhance its value to WIC and other FNS program.

Total Projected Cost: \$40,941  
 Amount Spent to Date: \$0  
 Start Date: March 2011  
 Completion Date: June 2011  
 Name of Contractor: The Urban Institute  
 Congressional Mandate: No



**National and State-level Estimates of WIC Eligibles and WIC Program Reach**

This study will estimate the WIC-eligible population for the U.S., for each of the 7 FNS regions, and for each of the 50 States, the District of Columbia, and five U.S. territories: the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands. Estimates will include breakdowns of each of the eight participant subgroups: pregnant women, infants, children at each year of age (ages 1, 2, 3, and 4), breastfeeding women, and postpartum non-breastfeeding women. These estimates are used to help allocate funding in the WIC funding formula and to track the national WIC coverage rate.

Total Projected Cost:	\$241,017
Amount Spent to Date:	\$4,936
Start Date:	September 2010
Completion Date:	August 2011
Name of Contractor:	Urban Institute
Congressional Mandate:	No

**WIC Vendor Management Practices Data Aging**

This study updates the annual aging of data on WIC vendor erroneous payments for reporting in the USDA Performance and Accountability Report (PAR). It helps fulfill the requirements of the Improper Payments Accountability Act of 2002 (PL 107-300). Using a statistical procedure called "raking", data from the bookend study of WIC vendor payments in 2004-2005 are adjusted using administrative data reported by States and maintained in the Integrity Profile (TIP) database. The TIP database includes reports of findings from the required covert compliance purchases at WIC vendors conducted on an ongoing basis by State WIC agencies. Annual aging of the data from the 2004-2005 study will be needed until results from the new "Assessment of WIC Vendor Management Practices" study are available.

Total Projected Cost:	\$147,117
Amount Spent to Date:	\$23,489
Start Date:	September 2010
Completion Date:	October 2011
Name of Contractor:	Mathematica Policy Research, Inc.
Congressional Mandate:	Yes (supports compliance with PL 107-300)

**Center for Behavioral Economics and Child Nutrition Research**

The Center is to provide economic and other social science information and analysis for public and private decisions on agriculture, food, natural resources, and rural America. The Center shall span the conceptual and practical aspects of behavioral economics research, providing a bridge for innovative frontline research to be disseminated effectively to food service administrators and other practitioners. Grants will be awarded yearly to PhD candidates and junior faculty seeking funding for either experimental or econometric research projects examining behavioral economic issues as applied to nutrition or more especially childhood nutrition. Analyses of natural experiments and field experiments within the context of school cafeterias will be particularly encouraged.

Total Projected Cost: \$999,762  
 Amount Spent to Date: \$20,000  
 Start Date: September 2010  
 Completion Date: December 2013  
 Name of Contractor: Cornell University  
 Congressional Mandate: No

**Grants/Cooperative Agreements to Meet Food, Nutrition and Health Needs of Program Eligible Participants**

These grants and cooperative agreements with States and local governments, universities, hospitals and non-profit organizations to identify, develop and undertake projects to meet FNS program needs and the food, nutrition, and health of program eligible participants. The grantees and recipients would work cooperatively with FNS to:

1. Support researcher-initiated projects that use a common approach to reporting findings to ensure transparency and facilitate a meta-analysis of all projects;
2. Coordinate activities among researchers;
3. Effectively use technology and digital media to achieve desired outcomes; and
4. Advance communication and coordination to improve target behaviors.

FNS' primary objective for these grants and cooperative agreements is to support interest in exploring better ways to improve and assess the needs of Food and Nutrition Service programs and their impact on the food, nutrition and health of program eligible participants.

Total Projected Cost: \$3,250,000 for 3 grants/cooperative agreements  
 Amount Spent to Date: None  
 Start Date: September 2011  
 Completion Date: September 2012  
 Name of Contractor: None Awarded  
 Congressional Mandate: No

**Completed Studies**

**Benefit Redemption Patterns in the Supplemental Nutrition Assistance Program**

This study identifies how SNAP spending patterns, such as the rate at which households spend their benefits, changed following the American Recovery and Reinvestment Act (ARRA) benefit increase and analyzes how spending patterns differed across household characteristics, time and States.

Total Projected Cost: \$349,987  
 Amount Spent to Date: \$349,987  
 Start Date: August 2009  
 Completion Date: January 2011  
 Name of Contractor: Mathematica Policy Research  
 Congressional Mandate: No

**Measuring Program Access, Trends, and Impacts for Nutrition Assistance Programs (2008-2010)**

This contract provided support September, 2008 through August, 2010 for estimating effects of potential program changes, for short-turnaround

analyses of current issues, periodic analysis of SNAP participation and household characteristics, and for research needed to improve future analytic capacities. Specifically, the contract produced the FY 2007 national and state participation rates for SNAP and the FY 2008 SNAP household characteristics analysis.

Total Projected Cost: \$1,756,962  
 Amount Spent to Date: \$1,691,130  
 Start Date: September 2008  
 Completion Date: August 2010  
 Name of Contractor: Mathematica Policy Research  
 Congressional Mandate: No

**The Extent of Trafficking in the Food Stamp Program: 2006-2008 Update**

In its efforts to increase and monitor program integrity, FNS has created a data-based, nationwide estimate of the prevalence of trafficking in the Food Stamp Program. These estimates have become one indicator of how well the Food Stamp Program is performing. This project replicated estimates with current data.

Total Projected Cost: \$117,157  
 Amount Spent to Date: \$117,155  
 Start Date: September 2009  
 Completion Date: December 2010  
 Name of Contractor: ORC MACRO  
 Congressional Mandate: No

**Implementing Supplemental Nutrition Assistance Program in Puerto Rico: A Feasibility Study**

The Food, Conservation and Energy Act of 2008 (P.L. 110-246) directed the Secretary of Agriculture to conduct a study of the feasibility and effects of including Puerto Rico as a "State" under Section 3 of the Food and Nutrition Act of 2008 (P.L. 110-246) instead of providing funding through the Nutrition Assistance Program (NAP) block grant. This study assessed the potential impact of establishing the Supplemental Nutrition Assistance Program (SNAP) in Puerto Rico, including the administrative burden and costs to both the U.S. Government and government of Puerto Rico.

Total Projected Cost: \$999,974  
 Amount Spent to Date: \$998,612  
 Start Date: February 2009  
 Completion Date: June 2010  
 Name of Contractor: Insight Policy Research, Inc.  
 Congressional Mandate: Yes

**Understanding the Relationship between Food Stamp Household Spending Patterns and Diet Quality**

This report uses data from the Consumer Expenditure Survey, National Food Stamp Program Survey, and National Health and Nutrition Examination Survey to compare food spending patterns and diet quality among SNAP participants and SNAP-eligible non participants. The study analyzes general household spending patterns and the percentage and absolute change in diet quality measures that result from a ten percent increase in household food spending for both groups.

Total Projected Cost: \$500,000  
 Amount Spent to Date: \$500,000  
 Start Date: April, 2008  
 Completion Date: June, 2010  
 Name of Contractor: Mathematica Policy Research, Inc.  
 Congressional Mandate: No

**Enhancing Food Stamp Certification: Food Stamp Modernization Efforts**

This national study documented key features and perceived outcomes associated with SNAP modernization initiatives. The study was completed in two phases: (1) a national inventory of all modernization activities and (2) intensive case studies in 14 states.

Total Projected Cost: \$1,207,073  
 Amount Spent to Date: \$1,207,073  
 Start Date: September 2006  
 Completion Date: December 2009  
 Name of Contractor: Urban Institute  
 Congressional Mandate: No

**CACFP Program Assessment of Sponsor Tiering Determination 2008 and 2009**

The Improper Payments Information Act of 2002 (Act) (Public Law 107-300) requires the Department of Agriculture (USDA) to identify and reduce erroneous over- and under-payments in various programs, including the Child and Adult Care Food Program (CACFP). CACFP makes nutritious meals and snacks available each day to children and adults who are enrolled in participating child-care centers, day-care homes, and adult day-care centers. The project developed an estimate of the extent to which sponsors' misclassify family child day-care homes (FDCHs) as Tier I or Tier II for program reimbursement of meal claims - a key requirement of FNS' overall plan to measure and reduce erroneous payments.

Total Projected Cost: \$793,204  
 Amount Spent to Date: \$793,204  
 Start Date: April 2008  
 Completion Date: August 2010  
 Name of Contractor: Abt Associates, Inc.  
 Congressional Mandate: Yes (supports compliance with PL 107-300)

**WIC Participant and Program Characteristics - 2008**

Data for this project has been generated from WIC State management information systems biennially since 1992, based on a near census of WIC participants as they are enrolled in the program. The project's report summarizes demographic characteristics of WIC participants nationwide in April 2008 and 2010, along with information on participant income and nutrition risk characteristics. The report also describes WIC members of migrant farm worker families. A national estimate of breastfeeding initiation for WIC infants is included.

Total Projected Cost: \$844,450  
 Amount Spent to Date: \$844,450  
 Start Date: September 2007  
 Completion Date: December 2010  
 Name of Contractor: ABT Associates, Inc.  
 Congressional Mandate: No

**Planning A WIC Research Agenda**

The Institute of Medicine (IOM) through its Food and Nutrition Board will held a 2-day public workshop on emerging research needs for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC). This workshop addressed key research issues, methodological issues and solutions related to the future research agenda. The IOM defined the specific topics to be addressed, developed the agenda, and selected and invited speakers and other participants. An individually-authored summary of the workshop was prepared and reviewed through National Academies procedures prior to release in Spring 2011.

Total Projected Cost: \$297,957  
 Amount Spent to Date: \$221,209  
 Start Date: 03/15/2010  
 Completion Date: 03/14/2011  
 Name of Contractor: Institute of Medicine  
 Congressional Mandate: No

**Selecting Policy Indicators and Developing Simulation Models for the National School Lunch and Breakfast Programs**

The study used data from SNDA-III to identify characteristics of schools and school environments that are associated with the nutritional quality of school meals; and used this information to develop predictive models to estimate the impact of potential policy changes on the nutritional quality of school meals, participation rates, and program costs. The modeling framework focused on the factors directly related to the linkages between policies/practices and key outcomes.

Total Projected Cost: \$312,154  
 Amount Spent to Date: \$312,154  
 Start Date: 01/2009  
 Completion Date: 1/2010  
 Name of Contractor: Mathematica Policy Research, Inc.  
 Congressional Mandate: No

**WIC Breastfeeding Peer Counseling Study Final Implementation Report-Phase 1**

The WIC Peer Counseling study has two components: an implementation study (Phase 1) and an impact study (Phase 2). Phase 1 of the WIC Breastfeeding Peer Counseling study, published in spring 2010, developed a comprehensive and detailed picture of how the *Loving Support Peer Counseling Program* was implemented in States and local WIC agencies (LWAs) throughout the country. One important finding of this first phase was that there is variation in the implementation of the *Loving Support* peer counseling program in local WIC agencies, particularly variation in the frequency, timing and location of in-person peer counseling offered to WIC participants pre- and post-partum. Phase 2 of the study will examine how specific variations in implementing peer counseling using the *Loving Support* model affect breastfeeding outcomes.

Total Projected Cost: \$995,040  
 Amount Spent to Date: \$818,015  
 Start Date: 01/2009  
 Completion Date: 1/2010  
 Name of Contractor: Abt Associates Inc.  
 Congressional Mandate: No

**Regional Office Review of Applications (RORA) for School Meals 2009**

This is the fifth in a series of annual reports that examines administrative error incurred during the local educational agencies' (LEAs) approval process of applications for free and reduced-price school meals. About 98 percent of students submitting applications for meal benefits in SY 08/09 were certified for the correct level of meal benefits, based on information provided on the application. The percent of all students with administrative errors in the processing of their application for meal benefits dropped significantly in SY 2008/09 compared to the previous 4-year period, when administrative errors ranged between 3 and 4 percent. In SY 2008/09 LEA eligibility determinations were incorrect for 2.0 percent of students approved or denied based on information on the application. Of these students approved incorrectly, about two-thirds (64 percent) were certified for more benefits than were justified based on the documentation available. About one-third of over-certifications resulted from approval of incomplete applications.

Total Projected Cost: 0.90 FTEs per year  
 Amount Spent to Date: 0.90 FTEs  
 Start Date: September 2008  
 Completion Date: November 2010  
 Name of Contractor: In-house  
 Congressional Mandate: No

**Regional Office Review of Applications (RORA) for School Meals 2008**

This is the fourth in a series of annual reports that examines administrative error incurred during the local educational agency's (LEA) approval process of applications for free and reduced-price meals in the National School Lunch Program (NSLP). In school year 2007/08 about 96 percent of students submitting applications for meal benefits received the correct level of meal benefits, based on information in the application files. The percent of all students with errors in the processing of their applications for meal benefits has remained relatively stable over the 4-year period, with administrative errors ranging between 3 and 4 percent.

Total Projected Cost: 0.90 FTEs per year  
 Amount Spent to Date: 0.90 FTEs  
 Start Date: September 2007  
 Completion Date: February 2010  
 Name of Contractor: In-house  
 Congressional Mandate: No

**Evaluation of Direct Verification**

This contract with Abt started with an evaluation of the feasibility and effectiveness of Direct Verification using Medicaid in five pilot states in the first year (2005-2006): Indiana, Oregon, South Carolina, Tennessee and Washington. Georgia was added during the second pilot year (2006-2007). An additional option funded involved a series of nine meetings with State Child Nutrition Officials to share experiences gained from the pilot studies, and provide technical assistance -including site visits- working on implementing direct verification using Medicaid.

Total Projected Cost: \$1,475,052  
 Amount Spent to Date: \$1,060,383  
 Start Date: May 2006  
 Completion Date: November 2010  
 Name of Contractor: Abt Associates Inc.  
 Congressional Mandate: No

#### **Regional Office Review of NSLP Applications 2010 (RORA)**

This study is a task under the Child Nutrition Analysis and Modeling BPA. The goal of the RORA project is to develop an annual nationally representative estimate of the rate of administrative accuracy of school district application approval and benefit issuance for free/reduced price meals.

Total Projected Cost: \$89,653  
 Amount Spent to Date: \$89,653  
 Start Date: September 2010  
 Completion Date: April 2011  
 Name of Contractor: Westat  
 Congressional Mandate: No

#### **Direct Certification Report to Congress SY 2009-2010**

This report responds to the legislative requirement of Public Law 110-246 to assess the effectiveness of State and local efforts to directly certify children for free school meals. Under direct certification, children are determined eligible for free school meals without the need for household applications by using data from other means-tested programs. The 2004 Child Nutrition and WIC Reauthorization Act required local educational agencies (LEAs) to establish a system of direct certification of children from households that receive Supplemental Nutrition Assistance Program (SNAP) benefits by School Year (SY) 2008-2009.

Total Projected Cost: 1/3 FTE  
 Amount Spent to Date: 1/3 FTE  
 Start Date: May 2010  
 Completion Date: October 2010  
 Name of Contractor: In House  
 Congressional Mandate: Public Law 110-246

#### **Direct Certification Report to Congress SY 2008-2009**

This report responds to the legislative requirement of Public Law 110-246 to assess the effectiveness of State and local efforts to directly certify children for free school meals. Under direct certification, children are determined eligible for free school meals without the need for household applications by using data from other means-tested programs. The 2004 Child Nutrition and WIC Reauthorization Act required local educational agencies (LEAs) to establish a system of direct certification of children from households that receive Supplemental Nutrition Assistance Program (SNAP) benefits by School Year (SY) 2008-2009.

Total Projected Cost: 1/3 FTE  
 Amount Spent to Date: 1/3 FTE  
 Start Date: May 2009  
 Completion Date: October 2009  
 Name of Contractor: In House  
 Congressional Mandate: Public Law 110-246

#### **2008-2009 NSLP Verification Summary Report**

This report summarizes the results of the school year 2008-2009 application verification process for the National School Lunch Program and School Breakfast Program. Each year local educational agencies (LEAs) draw a sample of applications approved for free or reduced-price school meal benefits for review. LEAs contact the selected applicants to request documentation in support of their applications. Based on that information, LEAs confirm or correct the applicants' initial certification for free or reduced-price benefits. The report provides detail on the SY 2008-2009 verification process and limited analysis of trends over time.

Total Projected Cost: 1/10 FTE  
 Amount Spent to Date: 1/10 FTE  
 Start Date: October 2010  
 Completion Date: March 2011  
 Name of Contractor: In House  
 Congressional Mandate: No

Center for Nutrition Policy and Promotion Studies and Evaluations  
 Ongoing Studies

#### **Food and Nutrition Service Nutrition Education Study**

Response: An ongoing project is the Food and Nutrition Service (FNS) Nutrition Education Study. The objective of this project is to identify, through contract-assisted research, the most effective strategies and tools for delivering nutrition education that improves the food choices and other nutrition-related behaviors of children and adolescents, including those served by the FNS nutrition assistance programs. This project will also examine the scientific evidence regarding the linkage between nutrition and academic performance in school-aged children. The approaches to be used include: (1) performing evidence-based reviews assisted by an expert workgroup; (2) summarizing existing research and the results of environmental scans, (3) conducting and summarizing the results of ethnographic research, in-depth interviews, and site visits focusing on exemplary nutrition education programs, and (4) developing user-friendly evidence-based products that will be available to the public through the USDA's Nutrition Evidence Library (NEL). The results of this project can be used to inform federal nutrition education policy and programs, aid in the development of nutrition education guidance and communication strategies, and inform the development of effective nutrition education interventions targeting behavior change. The contractors below are providing information technology and ethnographic research support (respectively) for the project.



Total Project Cost: \$190,000  
 Amount Spent to Date: \$133,617  
 Start Date: June 2010  
 Completion Date: September 2011  
 Name of Contractors: American Dietetic Association  
 IMPAQ International, LLC  
 Congressional Mandate: No

#### Completed Studies

#### Evidence-Based Reviews for the Dietary Guidelines Advisory Committee

Response: In 2010, the Evidence Analysis Library Division (EALD) in the Center for Nutrition Policy and Promotion conducted studies to support the work of the Dietary Guidelines Advisory Committee (DGAC). The objective of this project was to provide to the DGAC portfolios of evidence-based systematic reviews of the science using USDA's Nutrition Evidence Library (NEL), which CNPP built and maintains. The project responded to 130 research questions raised by the 2010 DGAC, the analyses of which would form the basis for the Committee's conclusions on which the 2010 Dietary Guidelines are based. Studies were completed in the following areas: (1) energy balance and weight management, (2) nutrient density, (3) fatty acids and cholesterol, (4) protein, (5) carbohydrates, (6) sodium, potassium, and water, (7) alcohol, and (8) food safety and technology. The results of the evidence-based reviews were used by the Committee to form its recommendations, which were reported to the Secretaries of USDA and HHS (Health and Human Services). The results of the studies are found at [NutritionEvidenceLibrary.gov](http://NutritionEvidenceLibrary.gov). The contractor provided information technology support and software support for the work of the EALD staff.

Total Project Cost: \$494,099  
 Amount Spent to Date: \$494,099  
 Start Date: January 2006  
 Completion Date: October 2010  
 Name of Contractor: American Dietetic Association  
 Congressional Mandate: Yes

Mr. Kingston: Provide a list of all studies and evaluations that are planned for fiscal years 2011 and 2012. Indicate which year they are planned to start and the estimated cost for each.

Response: The FNS Nutrition Assistance Study and Evaluation Plan for fiscal year 2011 follows. Most of these projects will be funded through a competitive procurement process. Because expected cost is procurement-sensitive information, the plan does not display the government's independent cost estimates.

Study and evaluation plans for fiscal year 2012 will be based on both internal review of FNS needs and solicitation of ideas from a wide variety of external sources familiar with the programs. The President's Budget request includes continued funding to support a range of important program assessment activities, including focused studies of program operations, development of comprehensive measures of program performance to inform and foster outcome-based planning and management, and technical assistance to States and communities for practical demonstrations of potential policy and program improvements. It also includes targeted increases for studies to support program integrity and meal quality in the Child Nutrition Programs.

These activities provide the crucial foundation for strategic planning and program innovation needed to respond to emerging issues and problems and support effective stewardship of the taxpayer investment in nutrition assistance.

[The information follows:]

**FOOD AND NUTRITION SERVICE  
RESEARCH AND EVALUATION PLAN – FISCAL YEAR 2011**

OCTOBER 22, 2010

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(Note: Projects described in this plan are subject to available funds, and may change without notice)

**USDA STRATEGIC GOAL: ALL OF AMERICA'S CHILDREN  
HAVE ACCESS TO SAFE, NUTRITIOUS AND BALANCED MEALS**

*FNCS Priority: End Childhood Hunger by 2015*

**Evaluation of Summer Food for Children Demonstrations:** The FY 2010 Agriculture Appropriation Act provided \$85 million to carry out demonstration projects to develop and test methods of providing access to food for children in urban and rural areas during the summer months when schools are not in regular session, and rigorously evaluate their impact on children's food insecurity, hunger, and nutritional status. This project will collect and analyze information from randomly assigned samples of participating and non-participating children in demonstration communities on food security, food choices, and related information, as well as a wide range of information on implementation and performance of the demonstration operations.

**Understanding Childhood Hunger – Implications for Nutrition Assistance:** Reducing or eliminating childhood hunger requires a more complete understanding of why children go hungry. Building on a project started in FY 2010 to create a center for child hunger research, these funds will support a second round of competitively awarded grants to identify the circumstances and coping strategies of low-income families with food insecure children. This research will contribute to a better understanding of who is at risk of hunger and how nutrition assistance and other programs can address that risk. This follow-on also provides a vehicle to address more specific questions regarding the ways families meet food needs when they leave SNAP, the combination of household characteristics associated with a higher probability of food insecurity, and circumstances that contribute to food insecurity experienced by families above the income thresholds that make them ineligible for most nutrition assistance programs.

**Zero-income SNAP Households:** While zero-income families make up nearly 20 percent of the SNAP caseload, there is limited information about their characteristics, their circumstances and the extent these change from month-to-month, and their patterns of benefit redemption. An ongoing project will begin to fill some gaps by examining the characteristics of these households using the most recent Quality Control (QC) data. The proposed study will seek to better understand these factors by examining multiple years of administrative (Quality Control, EBT transactions) and national survey data to look at participation patterns of zero-income households at different points in time.

**Adequacy of Food Resources and SNAP Allotments:** SNAP benefits are intended to alleviate food insecurity, improve diet quality and generally relieve poverty by freeing up family resources to meet other basic needs. Monthly allotments are based, in part, on the cost of a minimal-cost nutritious diet (the Thrifty Food Plan). Many question the adequacy of SNAP benefits, citing food preparation requirements, cultural food preferences, food access constraints and other challenges that make current benefits insufficient and propose various increases. This project will convene a workshop, under the auspices of the National Academies, to explore the potential and feasibility of establishing an objective, evidence-based, science-driven definition of benefit adequacy. The workshop will surface issues relevant to defining benefit adequacy, identify data requirements and research approaches necessary to establish an operational

definition of adequacy and to support an empirical comparison to SNAP benefit levels, and suggest strategies to meet any information needs.

**Direct Certification in the National School Lunch Program: Report to Congress:** Under direct certification, children are determined eligible for free school meals without the need for household applications by using data from other means-tested programs. The law requires local educational agencies to conduct direct certification for children from households that receive SNAP benefits, as well as annual reporting to Congress on the effectiveness of State and local efforts to directly certify children for free school meals. This project will analyze nutrition assistance program administrative data, compile information on best practices, and prepare the annual report to Congress for SY 2010-11.

**FNCS Priority: Develop a Comprehensive National Effort to Reduce Obesity**

**USDA's Healthy Community Program:** This project, if funds are appropriated, will test the impact and cost-effectiveness of integrating multiple levels of communication and influence at the community level to encourage healthy eating among SNAP recipients. Community-based interventions are now being used to advance a wide range of public health objectives. This project will investigate the effectiveness of this approach to raise awareness of healthy eating, shift social norms, create and facilitate opportunities to improve food choices, and reward such choices when made. Funds would cover both demonstration and evaluation costs.

**National WIC Food and Nutrition Study:** This study will determine WIC's impacts on the food security, food purchases and dietary behaviors and intake of women and children participants, and identify relationships between these impacts and duration of participation, participant characteristics, and specific WIC benefits and services. Data will be collected from a cohort of participants at several points in time. Analysis would seek to correlate impacts with exposure to WIC nutrition education, specific WIC foods, household food spending, uptake of other services related to referral from WIC, as well as characteristics such as household composition, income, physical activity and other obesity-related factors. The study would also explore characteristics of local agency services and operations (staffing levels, VENA implementation, and integration with health services) in relation to client outcomes. Options will allow for a longer longitudinal assessment, and additional subsampling to explore questions related to infant and toddler feeding.

**Healthy Incentives Pilot Evaluation – Nutrition Education Component:** The Healthy Incentive Pilot is testing the impact of point-of-sale incentives on the purchase and consumption of fruit and vegetables by SNAP participants. It is possible that a financial incentive alone, absent an effort to explain the potential benefits of fruits and vegetables and encouragement to make the healthy choice, may prove insufficient to change participant behavior. These funds, if appropriated, will expand the pilot to combine a strong nutrition education component with the point-of sale incentive. The results will provide information to policy makers on whether or not adding nutrition education and promotion to a financial incentive has a greater impact on purchases and consumption than the incentive alone. Funds would cover both expanded demonstration and evaluation costs.

**WIC Infant and Toddler Feeding Practices and Nutrition Education:** This longitudinal study will provide updated information on the feeding patterns of WIC infants, with expanded information on infant and toddler feeding behaviors. It will also examine the nutrition education and breastfeeding promotion and support provided by WIC and other sources to determine the relative effectiveness of different approaches in achieving appropriate feeding patterns and behaviors. One objective of the study is to identify aspects of WIC nutrition education that could influence feeding practices to address the problem of high body weight among young children in WIC – most of whom have participated in WIC since early infancy. The base contract would fund the design, sampling and first year data collection; options would allow for data collection in future years, contingent upon availability of funding.

**Center for Collaborative Research on WIC Nutrition Education Innovations:** This project would establish a university-based center to design, implement and evaluate innovative WIC-based interventions to improve nutrition behaviors to prevent and address childhood obesity. Key issues to be explored include identification of effective models of nutrition education to change behavior, more effective uses of technology to achieve desired outcomes, and advances in communication and coordination among WIC, physicians and child care providers to improve target behaviors. The Center would direct a program of grants to support researcher-initiated projects that use a common approach to reporting findings to ensure transparency and facilitate a meta-analysis of all projects. The Center would work cooperatively with FNS to select sub-grantees and disseminate findings.

**Foods Typically Purchased with SNAP Benefits:** All available evidence indicates that the diets and food choices of most Americans are less than ideal, and that the diets and food choices of low-income individuals are most striking in their similarity rather than their differences with higher income individuals. Yet concern is frequently expressed that SNAP benefits are spent on unhealthy foods. Available data don't directly answer the question of what SNAP recipients buy with their benefits. This study will identify and compare the feasibility of using alternative food purchase data – from large store chains, loyalty card companies and other commercial sources that offer nationally representative information. One or more of these extant data bases will be examined to estimate the proportion of SNAP benefits spent on different foods. If store sales and EBT transaction data can be linked at the household level, purchase patterns can be examined by benefit amount. The feasibility of obtaining and analyzing data on foods purchased by WIC clients can also be explored. Information obtained from this study can inform policy, nutrition education and environmental initiatives to enhance the food choices of SNAP participants.

**Understanding the Relationship between Food Insecurity and Obesity:** The Institute of Medicine will conduct a workshop in Fall 2010 to assess the current evidence base on the relationship between food insecurity and obesity and identify the data, methods, and research needed to advance our understanding of this complex relationship. These funds will support one or more high priority follow-on research projects identified at the IOM workshop. Identification of the underlying mechanisms responsible for the coexistence of food insecurity and obesity is needed to determine how nutrition assistance programs can address both problems.

**Assessment of WIC Impacts on Periconceptional Nutrition:** During the periconceptional period—the time period immediately prior to conception and in the first few days and weeks following conception—nutrition can impact placental and embryonic development with critical lifelong implications. This project would support a university-based grant program for researcher-initiated projects to demonstrate creative approaches to evaluate WIC impacts on periconceptional nutrition, coordinate activities among researchers, and widely disseminate findings. Building on these efforts, the university and the sub-grantees would provide FNS with recommendations for cost-neutral approaches to improving WIC's impact on periconceptional nutrition and an estimate of the cost-benefit associated with these impacts.

**Potential Uses of the National Children's Study:** The National Children's Study – led by DHHS and the Environmental Protection Agency – will examine the effects of environmental, biological, genetic, and psychosocial influences on the health and development of 100,000 children across the United States, following them from before birth until age 21. This project will explore the potential use of the Study to address critical WIC program research questions, by commissioning experts to develop descriptive papers that 1) identify information planned for collection through the Study that could be helpful in assessing WIC impacts and improving policy and operations, 2) delineate data limitations, and potential steps to minimize their impact, and 3) identify questions that could feasibly be added to the Study to further enhance its value to WIC and other FNS programs.

***FNCS Priority: Provide Healthier Food in Schools and Child Care Centers***

**Putting Behavioral Economics to Work in School Cafeterias:** These funds support a multi-year, integrated research program, launched in FY 2010 in collaboration with the Economic Research Service and the National Institute for Food and Agriculture, to develop, test, and promote applications of behavioral economic theory in the school nutrition environment. The goal is to identify, develop, and document evidence-based strategies, tools, and techniques that schools can use to shape their environments to support and encourage healthful food choices and behaviors. Planned activities, which will be finalized in consultation with ERS and NIFA, may include:

- planning grants to enable conceptual development of real-world applications of behavioral economic theory in the school nutrition environment and build links between the research community, school food service, and competitive food operations;
- small-scale pilot tests to validate the feasibility of potentially promising applications;
- large scale replications of promising results in multiple sites and among multiple populations to determine their generalizability; and
- dissemination, promotion, and training strategies to push the most promising practices to scale throughout America's schools.

**Simplified Tools to Assess School Meal Content:** School Meals Initiative (SMI) reviews of local SFAs by State personnel currently require nutrient analysis, and are considered burdensome by some State and local program administrators and operators. This project will use data from the School Nutrition Dietary Assessments and other sources to develop, test and compare at least two alternate methods for review of local menus and practices to identify a more efficient and effective set of review tools and a classification system that could be used to determine

performance-based payments following implementation of the meal pattern and nutrition standard changes recommended by the Institute of Medicine.

**Analytical Support for School Nutrition Standards Update:** FNS is collecting data for the fourth School Nutrition Dietary Assessment (SNDA) under an existing contract. This funding will support special analyses of the SNDA-IV data to address emerging issues not covered by the basic analysis inherent in the study. This information will be useful in responding to the public comments to the proposed NSLP/SBP meal pattern and nutrition standard changes based on recommendations from the Institute of Medicine.

***FNCS Priority:** Expand the Farm-Food Connection in FNS Programs*

**Nutrition Assistance Client Shopping Patterns at Farmers' Markets:** This study will focus on SNAP and WIC clients use of farmers' markets to redeem benefits, to better understand who does and does not use farmers' markets and why, what foods they purchase there, and how such markets fit into their overall food shopping. There will be at least two components of the project: an analysis of EBT transaction data and WIC voucher redemptions and a survey of SNAP and WIC participants (including some who do and some who do not shop at farmers markets). The project complements a current survey of market managers about operations, features of markets that participate in FNS programs compared to those that do not, perceived barriers to program participation, and successful resolution.

**Relative Value of Farmers' Market Financial Incentives and Promotional Messages:** In recent years, a wide variety of incentive programs, which allow SNAP and WIC Farmer's Market Nutrition Program participants to receive additional purchasing power for fruits and vegetables at local farmers' markets, have been launched or expanded significantly as a means of increasing access to and consumption of local fresh produce. More generally, questions remain as to the relative impact of incentives, nutrition promotion, or the two implemented together in promoting healthful food choices. This study would examine the relative effectiveness of financial incentives and nutrition promotion in encouraging healthy food purchases and SNAP redemptions at farmers' markets. The demonstration would assign SNAP households to different information and incentive conditions, and the evaluation would examine EBT redemption data to assess differences in the frequency and amount of spending at farmers markets. Funds will cover both demonstration and evaluation costs.

***FNCS Priority:** Continue Modernizing FNS Programs*

**Understanding the Causes and Costs of SNAP Churning:** To varying degrees, all States experience churning in the SNAP caseload, the phenomenon in which participating households leave the program at recertification (or some other point) and then return within a short time. Improving retention would increase participation (possibly in a manner more cost-effective than outreach) and may reduce some administrative costs. Using interview data and administrative records, this study will examine the prevalence and reasons for churning, along with the marginal administrative costs of processing an application compared to a recertification through a set of case studies in selected States. Information on practices used to improve retention also will be collected to help identify best practices.



**Roles and Effectiveness of Community-based Organizations in SNAP:** Community-based organizations (CBOs) play an increasingly important role in supporting SNAP outreach and applications. As the eligible SNAP population grows and State resources for program administration decline, CBOs have acquired new functions to facilitate SNAP participation. One of the most important new roles is the responsibility for conducting interviews with SNAP applicants. The variety among CBOs with respect to whom they serve, how they provide SNAP-related services, and the nature of their relationships with local SNAP agencies is considerable. The initial phase of this study is to carry out a set of evaluations in several States conducting applicant interviews under FNS waiver authority. Data would be collected from both waived areas and comparison sites within each State to compare application activity, participation, payment accuracy and client satisfaction. In addition, interviews would be conducted with program staff and CBOs to systematically describe implementation and operational procedures.

**Alternatives to SNAP Certification Interviews:** This project will test alternative approaches to the client interview when certifying applicants for SNAP benefits in 3 to 6 competitively selected States. FNS awarded a contract in FY 2010 to conduct a rigorous evaluation the impact of the alternatives on client satisfaction, payment accuracy, and administrative cost. FY 2011 funds will be used to support demonstration operations in the selected sites.

**WIC Research Information Network:** This project would build on USDA's web-based *WIC Works Resource System* web site with a new module designed to meet the needs of the WIC research community. The WIC Research Information Network would provide a comprehensive catalogue and annotated bibliography of WIC studies and funding opportunities, a data base of study design documents and questionnaires, and a data base of topic-specific executive summaries of research findings for use by program managers, policy officials and the public. The Network would also develop and routinely disseminate through the web a monthly executive summary of new developments in WIC research, and support a web-based social network for researchers to facilitate ongoing communication and collaboration.

**WIC Special Project Grants:** Since 1995, the annual WIC appropriation has provided funding for grants to WIC State agencies to develop, implement, and evaluate new or innovative methods of WIC service delivery to meet the changing needs of participants.

## SUPPORT FOR NUTRITION ASSISTANCE PROGRAM MANAGEMENT AND PERFORMANCE

**Measures of Erroneous Payments in School Meal Programs:** This study, if funds are appropriated, will collect and analyze nationally representative data on certification, meal counting and claiming, and participation during SY 2012-13 to prepare updated estimates of payment errors in the school meals programs, in support of the requirements of the Improper Payments Information Act of 2002. It will replicate the methodology of a study conducted for SY 2005-06, and thus provide a basis to assess changes in the level of erroneous payments in the school meals programs. It would also provide an updated baseline for annual required projections of erroneous payments.

**Cost of Producing Reimbursable School Meals:** The level of Federal reimbursement for school meals affects the ability of schools to serve nutritious, high quality food that children will eat. To ensure that decisions on reimbursement levels are informed by up-to-date, high quality information, FNS has examines meal costs every few years. This study – the third of its kind if funds are appropriated – will estimate the cost to produce a reimbursable school lunch and breakfast, and collect information on the revenue sources used to cover these costs, in SY 2012-13. It will use the same methodology used to collect this information in SY 2005-06 to enable meaningful comparisons of changes over time. In addition, this study will collect information on the nutritional quality of meals produced, enabling further analysis of the relationship between meal costs, reimbursements, and quality.

**Assessment of WIC Vendor Management Practices:** This project will replicate and update a study of WIC vendor management practices that collected data from a national sample of stores in 2004. These data touch on a variety of vendor topics. The study also provides the basis for annual estimates of WIC vendor erroneous payments required as part of compliance with the Improper Payments Information Act of 2002 (IPIA). This year's study will be expanded to measure the level of erroneous payments in WIC cash value vouchers (used for fruits and vegetables, implemented for the first time since this study was last conducted) and to develop and test a methodology for determining erroneous payments under WIC EBT, which has expanded considerably since the last study.

**WIC Breastfeeding Data Improvement Demonstration Project:** WIC agencies need better, faster data on a variety of measures in order to support continuous improvement of breastfeeding interventions. This project is a collaborative effort of USDA and HHS agencies, the National WIC Association, Breastfeeding Promotion Consortium, lead researchers and others to design and demonstrate improved systems for collecting and reporting breastfeeding data. It includes a review and assessment of data systems currently in use or under development, in order to build efficiently on existing efforts. Technical specifications from successful demonstrations would be integrated into future State WIC systems requirements.

**Special Nutrition Programs Operations Study:** In FY 2010, FNS awarded a contract for a multi-year panel study of select operational aspects of the school nutrition programs. FY 2011 funds will support a second year of core program operations data collection and analysis, covering a wide range of descriptive information about the operation of school meals programs

at the State and school district levels needed to inform program management and the development of national policies, and supporting a web-based quick-response survey capability that will allow FNS to query program operating agencies on specific descriptive items that require little or no lookup on their part. In addition, this will fund on-site data collections to provide descriptive information on nutrition education in schools, the use of behavioral economic concepts in the school food environment, the level of State and local subsidies beyond Federal reimbursements, and other SFA and school practices (such as food safety procedures).

**Measuring Access, Trends and Impacts (Microsimulation):** This on-going project supports several key analytic tools and analyses to address program participation trends and impacts; generates annual reports on the characteristics, participation rates and patterns of SNAP participation; and supports the Agency's capacity to assess cost and distributional impacts of proposed changes to SNAP and other nutrition assistance programs. A new contract will be awarded in FY 2011.

**Food Distribution Program on Indian Reservations (FDPIR) Participant and Program Characteristics:** The proposed study would examine and attempt to explain the recent decline in FDPIR participation. In addition, the project would describe FDPIR participants with respect to their demographic characteristics; access to and use of other nutrition assistance programs; access to food stores and facilities for storing and preparing food; and program operations, including food package dissemination and nutrition education. Information for this descriptive study would come from program records, interviews with program staff, program managers, participants and non-participants. The study could be expanded in future years to examine food use, dietary intake and food waste in FDPIR participating households.

**WIC Local Agency Breastfeeding Policy Inventory:** This project would support development of a set of data collection instruments to support a descriptive census of local agency breastfeeding-related policies, linked to breastfeeding rates. The instruments, developed in coordination with the WIC Breastfeeding Data Improvement Project, would be designed as a core questionnaire to assess change over time combined with modules for emerging interests. The project includes an initial data collection and report that will examine the relationship of local policies to the known profound geographic variation in breastfeeding rates.

**Analytical Support for SNAP Policy Development:** This project addresses a variety of specific SNAP or methodological questions useful to program managers that do not require the use of the microsimulation model. Among the tasks to be considered in 2011 are: a research review of the extent and nature of under reporting of nutrition assistance program participation in national surveys; a comparison of racial and ethnic data on program participants from administrative and national survey data; basic guidance targeted to help FNS grantees who are assessing the outcomes of participation, access or other projects; preparation of a public, searchable data base for State SNAP-Ed evaluations; description of SNAP benefit use at authorized restaurants; and participation of ABAWDs before and after ARRA.

**WIC Participant and Program Characteristics:** Information about WIC participation characteristics has been prepared biennially since 1992 from administrative records provided by State agencies. It provides detailed information on the demographic characteristics, economic

circumstances and health conditions of WIC clients, along with information on the operational characteristics of State and local WIC agencies. This project will support preparation of WIC PC reports for 2012 and 2014, and updates and improvements of the collection and reporting of WIC characteristics data.

**State and Local School Meal Program Procurement Practices:** This module of the Special Nutrition Program Operations Study would provide national information about State and local school meal program procurement practices. Topics for inquiry may include the use and specific level of small purchase thresholds, the use of various procurement vehicles, and the use and content of model contracts for food service management companies, food distributors, food item specifications, menu planning support, warehousing.

**Child and Adult Care Food Program (CACFP) Tiering Error Measurements:** The Improper Payments Information Act of 2002 (IPIA) requires agencies to produce annual measures of erroneous payments in Federal programs subject to risk. For the CACFP, FNS has met this requirement through studies of errors child care sponsoring organizations make when assigning family day care home providers to higher or lower reimbursement tiers. This item provides funding for the 2011 measure.

**WIC Food Cost Assessment Report:** This project will analyze data from the WIC Participant and Program Characteristics data sets, other FNS administrative data, and food cost data to prepare a report on WIC food cost by category and commodity. The report will include both the pre-rebate and post-rebate costs for the various categories of WIC foods (milk, cheese, eggs, cereal, etc.). The information is useful in understanding and forecasting the impact of food costs on WIC program costs.

**Food and Nutrition Information Center:** Funds will support the Food and Nutrition Information Center within the National Agricultural Library (NAL) to systematically store and disseminate information on USDA nutrition assistance programs, nutrition education and related nutrition topics.

**WIC Vendor Management Practices Data Aging:** This item funds the annual aging of data on WIC vendor erroneous payments for reporting in the USDA Performance and Accountability Report (PAR). It helps fulfill the requirements of the Improper Payments Accountability Act of 2002. Using a statistical procedure called "raking", data from the bookend study of WIC vendor payments in 2004-2005 are adjusted using administrative data reported by States and maintained in the Integrity Profile (TIP) database. The TIP database includes reports of findings from the required covert compliance purchases at WIC vendors conducted on an ongoing basis by State WIC agencies. Annual aging of the data from the 2004-2005 study will be needed until results from the new study (described above) are available.

**WIC Eligibles Estimates - National and State:** This item would fund the FY 2011 option for annual estimates of the number of individuals eligible for the WIC Program. These estimates are used to help allocate funding in the WIC funding formula, and track the national WIC coverage rate.

**Regional Office Review of Applications:** This project will review the national sample of NSLP applications collected annually by FNS regional offices to determine the extent of administrative error incurred during local educational agencies approval process of applications for free and reduced-price meals in the National School Lunch Program. These administrative error rates are reported to comply with the Improper Payments Information Act of 2002. The information captured reflects the accuracy of local determinations of household size and gross monthly income and meal price status based on the information provided on applications.

Mr. Kingston: Provide a table that shows the number of staff funded by each appropriation provided under the Food, Nutrition and Consumer Services heading. Please show the CNPP and Team Nutrition staff years on separate lines.

Response: The information is provided for the record.

[The information follows:]

STAFF YEAR DISTRIBUTION (From All Sources of Funds)				
Project	2010 Actual	2011 Estimated	Change	2012 Requested
Supplemental Nutrition Assistance Program	112	116	0	116
Child Nutrition Program	151	163	0	163
Team Nutrition	13	13	0	13
Commodity Assistance Program	2	2	0	2
Supplemental Nutrition Program for Women, Infants and Children	22	22	0	22
Nutrition Programs Administration	999	1,045	0	1,045
Center for Nutrition Policy and Promotion	34	32	10	42
Total Available	1,333	1,393	10	1,403

Mr. Kingston: FNS makes available nutrition education and information to all Americans regardless of income. How much of your total agency budget is spent on nutrition education and information? How many other USDA agencies conduct nutrition education and information programs? How do you coordinate with other agencies to ensure that you are not duplicating efforts? What is the total Department spending in nutrition and education? Of this total Department-wide spending, what amount is directed towards obesity?

Response: Food and Nutrition Service (FNS) nutrition education efforts are targeted primarily to participants or potential participants in the nutrition assistance programs, rather than to the general public. The Center for Nutrition Policy and Promotion (CNPP) provides nutrition information for the general public. We project about \$1.2 billion for nutrition education and information in FY 2011 and FY 2012 for FNS and CNPP.

The Department of Agriculture as a whole is planning to spend approximately \$1.428 billion in fiscal year (FY) 2011 on nutrition education and research and proposes about \$1.442 billion in FY 2012. The Agricultural Research Service (ARS), the National Institute for Food and Agriculture (NIFA), and the Economic Research Service (ERS) all conduct nutrition research and promotion comprising 16 percent of Department-wide nutrition education funds, totaling about \$233 million of the FY 2011 total, and proposing \$236 million in FY 2012. Of the \$1.442 billion requested in the President's FY 2012 budget, \$1.348 billion is targeted towards obesity and healthy eating and \$93.243 million towards nutrition education and research.

FNS' nutrition education activities differ from other Federal efforts because they are targeted to nutrition assistance program participants. The focus of nutrition education in the FNS programs is on promoting healthy eating and physical activity behaviors as a preventive approach for addressing diet related health risks including overweight and obesity. As these programs serve 1 in 4 Americans over the course of a year, the investments listed above actually translate into relatively modest per participant expenditures.

Mr. Kingston: In general, what effect have constraints on state budgets had on feeding programs? Are there any particular areas in which you anticipate problems in 2011 or 2012?

Response: Shrinking State and local resources have forced some States to implement staff layoffs or furloughs of public employees charged with certifying eligibility, delivering benefits, providing nutrition education and monitoring program performance, including integrity. The very circumstances that have driven increased demand for these programs has also reduced the revenue available to States to operate the programs. This is particularly important in the Supplemental Nutrition Assistance Program (SNAP), in which States must cover half of the costs required to administer the program.

In SNAP, FNS has published a workload management matrix as a reference for States and provided administrative relief to States through policy guidance and waivers. For example:

- Simplified reporting may be expanded to include households containing only elderly or disabled.
- Telephone interviews improve the ability of households to complete the interview and save caseworkers time. They allow State agencies to make use of remote technology for caseworkers and allow for statewide workload redistribution. Currently, 40 States are operating under face-to-face interview waivers at both the initial application and recertification, with another 7 States utilizing this waiver only at recertification.
- Targeting the duration and content of the interview identifies situations requiring more or less scrutiny and adjusts the interview to support access and accuracy goals, reducing time spent on stable, low-risk cases.
- Maximum certification periods (24 months for households in which all members are elderly or disabled and 12 months for all other households) simplify administration and reduce the burden of reporting and payment errors. Currently, 20 States utilize 12-month certification periods. A total of 16 States have both 12-month and 24-month certification periods.
- Reinstatement waivers allow the State agency to reinstate eligibility without requiring the household to file a new application if the household takes the required action to reestablish eligibility within 30 days of the effective date of ineligibility. Currently, 19 States have reinstatement waivers.

- Combined Application Project Demonstrations allow applicants for Supplemental Security Income (SSI) benefits to apply for SNAP using a joint SSI/SNAP application process. This reduces verification, eliminates an additional visit to a SNAP office, and offers a standardized benefit. Importantly, it increases access for the vulnerable disabled elderly population.

Mr. Kingston: Please list for the record the FNS programs that require state matching funds, and the percentage required.

Response: The Supplemental Nutrition Assistance Program (SNAP) requires a 50 percent State match for most categories of reimbursable State administrative expenditures. Excluded from this matching requirement are specific types of Employment and Training activities and nutrition education for which 100 percent Federal funding is available. States may not request Federal reimbursement for nutrition education activities beyond their specified grant amount.

The National School Lunch Program has a State Revenue Matching Requirement, which is an annual match States must make in order to receive National School Lunch Program general cash assistance funds. For each school year, the amount of State revenues appropriated or used specifically by the State for program purposes must not be less than 30 percent of the funds received by the State under section 4 of the National School Lunch Act during the school year beginning July 1, 1980. The State revenues derived from the operation of these programs and State revenues expended for salaries and administrative expenses at the State level are not considered in this computation; however, if the per capita income of any State is less than the per capita income of the United States, the matching requirements computed will be decreased by the percentage by which the State per capita income is below the per capita income of the United States.

In addition, Child Nutrition State agencies receiving State Administrative Expense funds are required to maintain a level of funding out of State revenues, for administrative costs in connection of the Child Nutrition Programs, not less than the amount expended or obligated in fiscal year 1977. The Child Nutrition Programs include the National School Lunch, School Breakfast, Special Milk, and Child and Adult Care Food Programs.

The WIC Farmers' Market Nutrition Program (FMNP) requires State matching funds (from State, local, or private sources) equal to 30 percent of the total administrative FMNP cost.

In The Emergency Food Assistance Program, State agencies are required to match dollar-for-dollar any Federal funds provided for administrative expenses that they do not pass through to emergency feeding organizations, or spend on these organizations' behalf.

In the Food Distribution Program on Indian Reservations, FNS provides Indian Tribal Organizations (ITOs) and State agencies with at least 75% of approved administrative costs. ITOs and State agencies may be required to provide up to 25% of such costs.



Mr. Kingston: Please provide an organizational chart for the Nutrition Programs Administration account for fiscal years 2008, 2009, and 2010. What is the actual level of staffing expected for fiscal years 2011 and 2012?

Response: The information is provided for the record.

[The information follows:]

Food & Nutrition Service Organizations FY 2008-2010
Office of the Administrator
Communications and Governmental Affairs
Office of Analysis, Nutrition, and Evaluation
Program Service and Support
Supplemental Nutrition Assistance Program
Special Nutrition Programs
Management, Technology, and Finance
Financial Management
Chief Information Officer
Management
Regional and Field Offices
Center for Nutrition Policy and Promotion

The actual level of staffing expected for fiscal years 2011 and 2012 is 1,077 and 1,087, respectively.

Mr. Kingston: Provide a detailed breakout of object class 25, Other Services, for fiscal years 2008 through 2010 for the NPA account.

Response: The information is provided for the record.

[The information follows:]

Breakout of Object Class 25	FY 2008	FY 2009	FY 2010
Contractual Services Performed by Other Federal Agencies	3,959,000	3,890,000	6,053,000
Related Expenditures	55,000	51,000	52,000
Repair, Alteration or Maintenance of Equipment, Furniture or Structures	429,000	184,000	218,000
Contractual Services-Other	12,663,000	13,850,000	10,421,000
Agreements	4,423,000	3,436,000	4,086,000
ADP Services and Supplies	816,000	1,422,000	1,363,000
Miscellaneous Services	129,000	68,000	224,000
Fees	17,000	56,000	68,000
Total	\$22,491,000	\$22,957,000	\$22,485,000

Mr. Kingston: Please provide a table with all mandatory funding that is provided in authorizing language for FNS programs in fiscal year 2010. List the name, program and amount.

Response:

[The information follows:]

Name	Program	FY 2010 Funding
CACFP Health & Nutrition Grants <sup>1</sup>	CNP	\$8,000,000
Direct Certification Technical Assistance <sup>1</sup>	CNP	\$25,000,000
Food Service Management Institute	CNP	\$4,000,000
Fresh Fruits and Vegetables - Grants to States <sup>2</sup>	CNP	\$101,000,000
Grants to States - Administrative Review (TAR)	CNP	\$4,000,000
Information Clearinghouse	CNP	\$250,000
School Food Equipment Grants <sup>1</sup>	CNP	\$25,000,000
Summer Demonstration Projects <sup>1</sup>	CNP	\$85,000,000
Technical Assistance - Program Integrity (TAP)	CNP	\$2,000,000
Senior Farmers Market Nutrition Program	CAP	\$20,600,000
Breastfeeding Performance Bonus <sup>1</sup>	WIC	\$5,000,000

<sup>1</sup> Provided in Section 749 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (P.L. 111-80).

<sup>2</sup> The transfer from Section 32 funds was scheduled to occur on July 1, 2010; however, Congressional action delayed \$76,000,000 of the transfer until October 1, 2010.

Questions Submitted By  
Mr. Robert B. Aderholt

FOOD ASSISTANCE PROGRAMS

Mr. Aderholt: Mr. Concanon, you state in your testimony that you are undertaking efforts to make it easier to apply for benefits. What measures are you also taking to ensure that these efforts at easier enrollment do not invite abuse of the program?

Response: As with any Federal program, the Supplemental Nutrition Assistance Program (SNAP) requires careful and sustained attention to program stewardship and integrity. SNAP cannot be sustained over the long term without continued public trust in our ability to manage it effectively. For this reason, USDA and SNAP State agencies employ multiple efforts to promote integrity and discourage program abuse.

SNAP law and regulations require State agencies to maintain fraud prevention efforts and investigate program violations by recipients. This includes verification of eligibility information provided by applicants and participants through a variety of available data matches; pre and post-certification fraud investigations and, to some extent, the use of quality control review results.

States are required to perform matches against the Social Security Administration (SSA) Death Master File and the SSA Prisoner Verification System (PVS).

States have the option of performing numerous other Federal and State matches and FNS reimburses 50 percent of State matching costs. States pick from the available matching options that work best for them, which include:

- Internal Revenue Service for information on income;
- U.S. Citizenship and Immigration Services for information on immigration status;
- Health and Human Services (HHS) National Directory of New Hires for interstate wage and employment data on new hires, quarterly wage data and unemployment insurance. Currently, only three States (Maine, Maryland, and Mississippi) participate in this match as the program is fee for service and few States have had the resources to make this investment.
- Department of Labor for quarterly wage information;
- HHS Public Assistance Reporting Information System (PARIS) which contains three parts: Department of Defense/Office of Personal Management (active or retired military and Federal employees), the Department of Veterans Affairs, and the Interstate match which detects duplicate payments made to the same client and is used by Federal programs such as Medical Assistance, Medicaid, TANF and SNAP.
- Inter and Intra-State data matches for information verification, including agreements with bordering to share data on individuals receiving SNAP and other assistance program benefits to prevent duplicate participation.

*Pre-certification* investigations are cases referred for investigation and completed prior to certification. Investigators assist in front-end detection by acting on referrals in suspicious cases. Many referrals result from discrepancies between information provided by clients and that obtained via the aforementioned data matches.

In Fiscal Year 2010, States conducted more than 357,000 pre-certification investigations, 126,000 of them positive. Positive pre-certification investigations prevent fraud at intake before there is any dollar loss to the Program. Pre-certification investigations prevent fraud from occurring and though the savings are considerable, there is no way of accurately assessing the dollar amount since the certification process is never completed.

*Post-certification* investigations are conducted after an individual has been certified to receive benefits. Post-certification investigations result from information obtained through data matches, whistleblower complaints from the public, or from positive investigations of retail operations indicating the possible involvement of recipients.

In Fiscal Year 2010, States conducted over 361,000 post-certification investigations resulting in the disqualification of 44,408 individuals. In Fiscal Year 2010, post-certification investigations and successful prosecutions resulted in the establishment of \$34 million in fraud claims against Program violators. But even in those cases where there is no conviction, post-certification investigations still identify households that have received more benefits than they were entitled to and result in claims being established against those households.

Individuals disqualified for participation in SNAP are tracked through an FNS operated Electronic Disqualified Recipient System (eDRS). eDRS is a centralized national database, utilizing data submitted each month by all 50 States, the District of Columbia, Guam, and the Virgin Islands, that tracks individuals disqualified from participation in SNAP for fraud.

In the National School Lunch (NSLP) and School Breakfast (SBP) Programs, we are promoting wider use of direct certification, which uses certification information from Supplemental Nutrition Assistance Program (SNAP) and other means-tested programs to enable low-income children to receive free school meals without their families having to fill out - and schools having to process - a paper application. The process reduces duplication of effort for both the household and the schools by allowing one certification process to serve for multiple programs that have similar income standards. Direct certification helps to prevent certification errors that occur in the manual process of handling individual applications, while providing easier access for those truly in need.

The Healthy, Hunger-Free Kids Act of 2010 authorizes a number of provisions that we are implementing to encourage States to improve their direct certification processes, and consequently prevent certification errors, as follows:

- Setting direct certification rate benchmarks for States to reach to encourage better performance in directly certifying children in SNAP households;

- Instituting the use of continuous improvement plans to guide States who do not reach the direct certification benchmark for a certain school year;
- Providing performance incentives, as funded by the Act, for up to 15 States annually over a three-year period, to reward States whose systems do the best job at certifying eligible students for free school meals or who are showing substantial improvement in their direct certification rates for children in SNAP households.
- Implementing a demonstration project, as funded by the Act, to test the effectiveness of direct certification using Medicaid enrollment data to simplify access to school meals for more children, while reducing burden for schools and eligible households.

Also, under funds appropriated by the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriation Act of 2010, we are offering grant opportunities to States with lower direct certification rates to help them improve their automated systems to increase their match rates and enroll more eligible children, which will further reduce certification errors. This grant funding will support States in meeting the direct certification benchmarks set by the Healthy, Hunger-Free Kids Act of 2010.

Mr. Aderholt: Please tell us about some of your accomplishments in curbing waste, fraud, and abuse in the SNAP, WIC, and TEFAP programs. What are areas where you still see room for improvement in this regard?

Response: Some of our accomplishments in curbing waste, fraud, and abuse in SNAP, WIC and TEFAP include:

- Beginning in December 2005, WIC State agencies had to comply with new, more stringent cost containment requirements regarding the authorization of WIC vendors. The requirements included establishing a vendor peer group system, competitive price criteria, and maximum allowable reimbursement levels in a manner that ensures that the WIC Program pays competitive prices for WIC foods. Stores for which WIC sales are more than 50 percent of the store's annual food sales are held to a more stringent requirement that must ensure WIC costs are not higher as a result of participants shopping at such stores.
- Currently over 40 out of the 90 WIC State agencies are in various stages of WIC electronic benefit transfer (EBT) implementation, including planning activities, design and development, or State agencies that have completed statewide EBT projects. Use of EBT significantly reduces opportunities for fraud and abuse of WIC Program benefits.
- FNS conducts comprehensive management evaluations (ME) of a significant percentage of TEFAP State agencies each year. During calendar year (CY) 2010, FNS conducted MEs of 16 of the 55 TEFAP State agencies. Those 16 State agencies received 31 percent of total TEFAP resources in fiscal year (FY) 2010. The MEs conducted by FNS did not identify significant incidents of improper payments to State agencies, local organizations, or individuals. FNS is also reviewing its method of

selecting which TEFAP State agencies will be subject to MEs based on their risk for waste, fraud and abuse.

As with any Federal program, the Supplemental Nutrition Assistance Program (SNAP) requires careful and sustained attention to program stewardship and integrity. SNAP cannot be sustained over the long term without continued public trust in our ability to manage it effectively. For this reason, USDA and SNAP State agencies employ multiple efforts to promote integrity and discourage program abuse.

Recipient fraud occurs when applicants purposely provide incorrect information to State, leading to an improper determination of eligibility or failing to provide updated information, leading to an improper continuation of benefits. States are responsible for preventing this from happening and there are several tools available to States to combat this including data matching and verification.

In support of States' recipient fraud prevention efforts, FNS operates and maintains the Electronic Disqualified Recipient System (eDRS). eDRS is a centralized national database, utilizing data submitted each month by all 50 States, the District of Columbia, Guam and the Virgin Islands, that tracks individuals disqualified from participation in SNAP for fraud violations.

SNAP regulations require State agencies to establish recipient claims against any household that has received more benefits than it is entitled to receive. Claims fall into three categories: intentional program violation (fraud), inadvertent household error, or agency error. As an incentive, State agencies are entitled to 35 percent of fraud claims and certain inadvertent household error claims collected and 20 percent of the remaining household error claims collected. In FY 2010, State agencies established \$460 million in new claims and collected \$287 million.

Trafficking occurs when retailers and recipients discounting SNAP benefits in order for recipients to convert their SNAP benefits into cash (e.g., 50 cents on the dollar). Trafficking has decreased significantly over the past 15 years. The first trafficking assessment in 1993 determined that \$811 million in program benefits were trafficked in FY 1993. The most recent estimate, for the period 2006-2008, determined that trafficking diverted \$330 million in program benefits annually, or roughly, one cent of each benefit dollar. The increase in the amount of benefits diverted by trafficking since the prior study (which covered the period 2002 to 2005) reflects the rate of overall Program growth.

The national implementation of electronic benefit transfer (EBT) as the issuance system for SNAP instead of paper coupons is credited in large part for the decrease in trafficking. Despite the significant decline in trafficking, USDA continues to implement aggressive measures to improve program integrity and detect and stop fraud.

SNAP uses a fraud detection system, the Anti-Fraud Locator for Electronic Benefit Transfer Transactions (ALERT) system, to monitor electronic transaction activity and identify suspicious retail grocers for analysis and investigation. To continue strengthening our fraud detection capabilities, USDA is redesigning the ALERT system with new, more advanced technology and analytical tools available in the private sector. A primary component in this redesign is engaging in continuous data mining efforts and

integrating the results of those efforts into the ALERT system. The initial system is scheduled to be delivered to FNS for testing in calendar year 2012.

In addition, SNAP has a team of investigators across the country that conduct on-site reviews of stores suspected of trafficking or of not complying with program rules. In FY 2010, the Retailer Investigations Branch (RIB) has conducted over 5,000 investigations. All RIB staff members are involved in the process of enhancing the agency's overall effort to combat retailer fraud and manage retailers.

Mr. Aderholt: Could you please give us an idea of the growth in enrollment of the SNAP program over the last 50 years? Where were we then as a percentage of the population and where are we today? How many people have been enrolled in the program and exited without returning?

Response: Since SNAP was implemented nationally as the Food Stamp Program in the 1970's, program participation has experienced significant growth, along with the population of the United States. Both economic and legislative changes also have impacted SNAP participation. From 1970 to 1974, the early years of national implementation, the program grew from approximately 2 percent of the U.S. population in 1970 to 6 percent of the population in 1974. Since then, the percentage fluctuated between 6 and 9 percent.

Exceptions occurred in the early 1990's and the last few years when nationwide recessions led to participation spikes. About 10 percent of Americans were receiving SNAP benefits during the recession of the 1990's, while the program reached record high participation of 40.3 million people, or 13 percent of the U.S. population, in 2010.

This pattern is consistent with SNAP's design -- growing to meet increased need when the economy is in recession and contracting when the economy is growing. During economic downturns, the percent of Americans receiving SNAP is higher than during periods of economic growth. The Great Recession in 2008 and 2009 is a key factor in the current record high SNAP participation.

The responsiveness of SNAP to changing economic conditions, both locally and nationally, means that people can enter, exit, and reenter the program as their needs change. The most recent study on SNAP dynamics, or movement in and out of the program, from the early 2000's found that half of all new SNAP participants exited the program within 8 months. About 51 percent of those who exited return to SNAP within 2 years.

Mr. Aderholt: Do any of you have any concern that some of these food assistance programs can be duplicative of one another? Please talk about the separate and distinct needs these services address, and demonstrate that they do not overlap.

Response: Federal nutrition assistance programs were created by Congress over time to work together to address the Nation's nutrition needs. While SNAP provides a basic level of household assistance for families with little income and few resources, other programs operate in special settings -- such as the school meals programs, which ensure that nutritious food is available to support learning. Others serve specialized needs, such as nutrition risks faced by low-income mothers and children served by WIC, or

the inadequate access to retail stores for those served by the Food Distribution Program on Indian Reservations. Many smaller programs, such as the Emergency Food Assistance Program, and the WIC and Senior Farmers Market Programs, were created by Congress to supplement the major programs. Federal law and regulations ensure that clients may not participate in multiple programs that serve the same needs (such as SNAP and FDIPIR.)

Reducing overlap and duplication within the Federal government is critical to ensuring that our government operates more efficiently and effectively. The President's FY 2012 Budget proposes the termination of more than 200 programs government-wide, yielding savings of over \$30 billion. USDA will continue efforts to promote policy and operational changes that streamline the application and certification process; enforce rules that prevent simultaneous participation in programs with similar benefits or target audiences; and review and monitor program operations to minimize waste and error.

#### NUTRITION EDUCATION PROGRAMS

Mr. Aderholt: Dr. Anand, we have had the food pyramid and other such nutrition education programs around for decades. Yet the country has fallen into what some would term an obesity epidemic. Which begs me to ask a very simple question: Does this stuff work? What has been the accumulated cost of federal dietary programs since the FDR era up to now? What evidence do we have that the public listens, or does not listen, to the federal government in regards to their eating habits?

Response: The Federal government has issued dietary guidance for decades that has been updated to reflect the latest science with each iteration. The 2010 *Dietary Guidelines for Americans*, the 7th edition, is the most comprehensive, evidence-based policy issued to-date by virtue of USDA's newly established Nutrition Evidence Library (NEL). For the first time, the conclusions and dietary recommendations were derived through systematic evidence-based reviews of the published scientific literature that weigh the quality of the research on which to base recommendations.

The evidence-based review approach afforded the Dietary Guidelines Advisory Committee the ability to analyze the available evidence in response to 130 questions that were raised about nutrition and health. Such a robust review of the science had not been possible before. And, for the first time, among the questions addressed were questions about the food environment and its influences on food and physical activity choices and consumer behavior. Thus, we now know the complexities of the influences of the food environment and the many challenges it poses for nutrition education to be effective in changing behavior toward positive dietary and lifestyle habits.

Having acquired the ability to assess the research on influences of the food environment on consumers throughout the lifespan, we now have a way to improve our nutrition education curricula and tools to make them more robust and craft interventions that will have an influence over food choices.

Although we know that USDA's nutrition education efforts alone cannot be expected to halt the growing rate of overweight and obesity, and chronic diet-related illnesses in the country, these efforts could make valuable contributions to improving nutrition knowledge and positively influencing dietary behaviors among all Americans in school and community-based settings. A growing body of evidence confirms that well-designed, behavior-focused



nutrition education improves diets and eating behaviors among families with limited resources. Cost-benefit analyses of multi-session, intensive, nutrition education programs have been conducted in these states with the following results:

- Virginia: For every \$1 invested in nutrition education for SNAP recipients, \$10.64 in benefits from reduced health care costs can be expected. (USDA Science and Education Impact Report, April 2000 <http://www.reeusda.gov/success/impact00/apple.htm>)
- Tennessee: For every \$1 spent to implement nutrition education programming, \$2.48 is saved on food expenditures, reducing the need for emergency food assistance. (Burney, J and B Haughton. EFNEP: A nutrition education program that demonstrates cost-benefit. J Am Dietet Assoc, 2002. 102: 39-45)
- Iowa: Nutrition education programming returns benefits of \$10.75 in reduced long-term health costs for every \$1 spent in program costs. (Iowa Ag Review On-line, Spring 2001, Vol. 7, No. 2)
- Oregon: For every \$1 spent on nutrition education, \$3.63 is expected in future health cost savings. (Schuster, E., Z. L. Zimmerman, M. Engle, J. Smiley, E. Syversen, J. Murray, Investing in Oregon's Expanded Food and Nutrition Education Program (EFNEP): Documenting costs and Benefits, J Nutrition Education and Behavior, Vol. 35, issue 4, page 200, July 2003)
- California: For every \$1 invested in nutrition education for low-income families, between \$3.67 and \$8.34 is saved in health care costs. (Block, J., et al., 2006, California Agriculture, 60(4))

It may be helpful to know that CNPP has undertaken important preliminary work with the intent to subsequently evaluate the impact of nutrition education programs. The preliminary phase involves using the Nutrition Evidence Library (NEL) that CNPP established to conduct systematic evidence-based reviews. The focus of these reviews is to determine the quality and preponderance of research on the effectiveness of nutrition education in promoting behavior change in schools and community settings.

To that end, CNPP NEL staff are collaborating with top nutrition educators to conduct evidence-based reviews of the published literature to identify nutrition education strategies and program characteristics associated with improved dietary intake in children. CNPP is also directing a qualitative research project designed to characterize the current state of child-focused nutrition education in the U.S. and to identify opportunities for and barriers to improving the effectiveness of nutrition education. From these evidence-based reviews, CNPP will be able to determine one or more approaches for evaluating effectiveness that are scientifically-based and credible.

Mr. Aderholt: Dr. Anand, I know you say that mypyramid.gov has had well over 12 billion hits. Over how many years is that, and do you know how many different individual visitors that is?

Response: MyPyramid.gov was released shortly after the 2005 *Dietary Guidelines for Americans*; so it has been on the Web since April 2005. Approximately, 1.4 million visitors, on average, per month linked to MyPyramid.gov, resulting in 100.8 million visitors since April 2005.

## SCHOOL MEALS PROGRAM

Mr. Aderholt: I understand that the proposed rule regarding school nutritional requirements would increase the cost of serving school meals by \$6.8 billion over the next five years, and that the increased cost per meal is estimated to be an increase of 14 cents per lunch and 50 cents per breakfast while the federal subsidy for lunches is increased by just 6 cents. I also understand that USDA has suggested local schools will cover this gap in cost through a combination of 1.) increased efficiencies and reduced operational costs, 2.) state and local funds, and 3.) increased student payments. Increased efficiencies and operational costs are always a good thing. But most state and local governments are feeling the crunch of budget shortfalls so I doubt there will be much assistance there. So, that leaves student payments, which translates into increased expenses on the American family budget that is already dealing with a number of other economic hardships. Please speak to these concerns.

Response: The Healthy, Hunger-Free Kids Act of 2010 requires equity in school lunch pricing to ensure that sufficient funds are provided to the food service account for paid lunches. Section 205 of the Act requires school food authorities (SFAs) to charge students a price for paid meals that is on average equal to the difference between the free meal reimbursement and the paid meal reimbursement. SFAs that currently charge less are required to gradually increase their prices over time until they meet the requirement. SFAs must determine how to meet this requirement. If the SFA wants to meet the requirement through a price increase, the law allows SFAs to round down required price increases to the nearest 5 cents and limits any rate increases to a maximum of 10 cents, thus minimizing the impact on families.

Many schools in the National School Lunch Program are already making progress using available resources. USDA has recognized over 640 schools under the HealthierUS School Challenge (HUSC) for voluntarily offering more nutritious meals that include a variety of vegetables each week, a variety of whole fruits, and whole grains. The HUSC schools have demonstrated an ability to operate cost-effective school meals programs that emphasize many of the same foods required by the proposed rule. While these schools receive a modest cash award to acknowledge their accomplishment, they receive no additional cash assistance from USDA supplementing the current meal reimbursement and USDA Foods.

Mr. Aderholt: Over the last 30 years would you say that nutritional standards in the school lunch programs have steadily increased or decreased? If they have increased, then doesn't that indicate school lunches may be for some children the least contributing factor to what some have called an epidemic of obesity among today's youth?

Response: The nutritional standards for school lunch programs have changed over the past 30 years to reflect new research and recommendations from the *Dietary Guidelines for Americans* (DGAs). Food-based meal patterns now include more fruits and vegetables, and lower fat and saturated fat entrées and dairy products. Schools are encouraged to serve more whole grains as part of the requirement for grains/breads.

In 1995, the School Meals Initiative (SMI) provided the option for nutrient-based meal planning with specific nutrient targets for various age groups. School meals are currently required to meet nutritional targets for

calories (minimums), protein, calcium, iron, and Vitamins A and C and must meet the DGAs for the percent of calories from fat and saturated fat. State agencies monitor schools using both the food-based and nutrient-based menu planning approaches to ensure that schools are planning meals to meet these nutritional targets as well as meal pattern requirements.

In 2010, the National Academies' Institute of Medicine published recommendations for improvements in the nutritional quality of school meals in the report *School Meals: Building Blocks for Healthy Children*. The recommendations in this report have formed the basis for the current proposed rule, *Nutrition Standards in the National School Lunch and Breakfast Programs*, published in the Federal Register on January 13, 2011. The proposed rule will set calorie minimums and, for the first time, the maximum amount of calories for school lunches, and will require that school meals contain more fruits, vegetables, and whole grains, and less sodium, saturated fat, and *trans* fat.

The DGAs contain recommendations on diet and physical activity that are designed to promote overall health. Among the specific goals of the DGAs is to help people maintain a healthy weight. This is influenced by food choices throughout the diet, rather than any single factor. However, many children consume a large proportion of their daily calories at school. School meals that are more closely aligned to the DGAs can thus play an important role in addressing the nation's obesity epidemic.

Questions Submitted by  
Mr. Tom Graves

FOOD AND NUTRITION SERVICE PROGRAMS

Mr. Graves: As you are aware, our nation's spending is unsustainable. We must make the tough decisions today to ensure agencies such as the Food and Nutrition Services have the tools to do their job. If we do not change current current law, we will have a \$1 trillion interest bill by 2020. If we had to cut your agency, would you share with the Committee how you would do it?

Response: The FNS programs were created by Congress over time to address critical nutrition needs in various populations, e.g., WIC covers women, infants and young children, SNAP covers families at home, school lunch and breakfast cover students while they are at school, Senior Farmer's Market Program targets the elderly, etc. This overlap was intended by Congress and is known and recognized as the nutrition safety net because of how the programs work together in concert to meet the needs of low income Americans. In addition, many of our smaller food distribution programs, such as the Commodity Supplemental Food Program, were created to address specific needs. These programs supplement our major programs and provide alternative ways of serving populations who may need extra assistance or have limited access to grocery stores. Because our programs are so critical in providing basic assistance to Americans, I wouldn't recommend any program eliminations.

However, that doesn't mean that we can't find ways to do better at saving the taxpayers money. FNS has a history of working to "do more with less" in our administrative and program accounts. For example, FNS has encouraged and many States have conducted business process re-engineering (BPR) to improve efficiency and effectiveness of SNAP at the State level. In addition, at the Federal level, SNAP has engaged its own process improvements to streamline operations. For example, FNS has made an investment in the modernization of the SNAP quality control system that will improve work processes for both State and Federal staff involved in the quality control process.

In addition, at the Federal level, FNS has engaged in substantial process improvements in the retailer management area. FNS has improved efficiency and effectiveness of interpretation of transaction data and building strong administrative cases via training of approximately 125 FNS staff to increase the use of ALERT, the Program's anti-fraud detection system. In addition, SNAP has implemented an online server of store visit photographs to allow Agency administrative and investigative personnel real-time access to pictures of a store's layout and inventory, improving overall oversight effectiveness.

In our school programs, we have trained staff at every State agency to ensure effective monitoring of schools operating the programs, so that problems are identified early and corrective action is focused on poor-performing schools. In addition, we are currently working with States to strengthen efforts at reduction of improper payments through use of direct certification, management evaluations, annual verification data, etc. to ensure that our programs are the cost-effective and efficient as possible.

An exception to the definition of eligible food requires a Section 17 demonstration waiver, which provides the Secretary authority to waive the Act for purposes of conducting:

*"on a trial basis, in one or more areas of the United States, pilot or experimental projects designed to test program changes that might increase the efficiency of the supplemental nutrition assistance program and improve the delivery of supplemental nutrition assistance program benefits to eligible households".*

This waiver requires an evaluation component, as stipulated by the Food and Nutrition Act of 2008. No demonstrations similar to New York's request have been received by FNS or approved to date. FNS is carefully considering New York's proposal and proposed method of evaluation in order to make a thoughtful and informed decision.

Mr. Graves: I'm told about a half dozen state legislatures are considering state bills that would direct their governors to submit similar petitions. Hypothetically, if the Department were to grant these waivers, for whatever reason, how would that impact USDA's administration of the program?

Response: If USDA were to grant multiple demonstration waivers limiting or prohibiting the purchase of certain foods with SNAP benefits, it would impose significant challenges to USDA's administration of the program, retailer participation and client benefit use. But perhaps, first and foremost, States would be faced with the challenge of distinguishing between healthy and unhealthy products.

There are no clear standards for defining foods as healthy or not healthy. Foods contain many components that can affect health, and diets contain many foods. As a result, it is challenging to determine whether—and the point at which—the presence or absence of specific nutrients should result in ruling a food "in" or "out." The task of identifying, evaluating and tracking the nutritional profile of every food available would be substantial. The burden would fall on an expanded bureaucracy or on manufacturers and producers asked to certify that their products meet Federal standards.

Multiple State waivers of this type would result in State variation in defining eligible and ineligible foods. Retailers that operate in more than one demonstration area would face significant challenges and costs to update and maintain point-of-sale systems and to train store personnel on varying program rules. In stores without programmed front-end cash registers, compliance with program rules would become more challenging.

Program participants who shop both in and out a demonstration area for purposes of cost savings, access and/or convenience would face inconsistent program rules with respect to eligible items. This would cause both confusion and potentially stigma at the store check out.

FNS's ability to combat fraud and abuse would be adversely impacted as resources would be diverted from identifying significant program violations (e.g. trafficking SNAP benefits) to policing retailers to ensure that ineligible food items not be sold.

Mr. Graves: And more specifically, if you had to operate under a reduced budget, how would you do so under a 25, 20, and 10 percent reduction in funding? If you could provide those figures to the committee, we would certainly appreciate it, and I have a letter here inquiring about that, that I'll submit for the record. It'd be wonderful if you could follow back up

Response: The funding levels for the Supplemental Nutrition Assistance Program (SNAP) under the specified reductions would be:

<b>President's Budget Request</b>	<b>\$73,183,808,000</b>
<b>10 percent Reduction</b>	<b>\$65,865,427,200</b>
<b>20 percent Reduction</b>	<b>\$58,547,046,400</b>
<b>25 percent Reduction</b>	<b>\$54,887,856,000</b>

Under normal circumstances, a reduction in the appropriated funds for SNAP would result in a reduction in the benefits provided to participants. However, Section 101(a)(2)(B) of the American Recovery and Reinvestment Act of 2009 (ARRA) requires that the level of maximum allotments and minimum allotments cannot be reduced below the level set for FY 2009 by the ARRA (this provision sunsets on October 31, 2013).

The funding levels for the Child Nutrition Programs under the specified reductions would be:

<b>President's Budget Request</b>	<b>\$18,810,571,000</b>
<b>10 percent Reduction</b>	<b>\$16,929,513,900</b>
<b>20 percent Reduction</b>	<b>\$15,048,456,800</b>
<b>25 percent Reduction</b>	<b>\$14,107,928,250</b>

The Richard B. Russell National School Lunch Act (NSLA) and Child Nutrition Act of 1966 (CAN) establish formulas that determine the level of support for meal reimbursements, State administrative expenses, and commodities that must be provided to States that operate and administer the Child Nutrition Programs. For example, under Section 11 of the NSLA, States are entitled to reimbursement at the statutory rate for all eligible meals served to students who qualify for free or reduced-price meals. If appropriations are reduced to the extent that FNS does not have sufficient resources to provide the statutorily required payments to States, then we would be forced to seek other funding to meet these needs, including potentially a request for a supplemental appropriation.

The funding levels for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) under the specified reductions would be:

<b>President's Budget Request</b>	<b>\$7,390,100,000</b>
<b>10 percent Reduction</b>	<b>\$6,651,090,000</b>
<b>20 percent Reduction</b>	<b>\$5,912,080,000</b>
<b>25 percent Reduction</b>	<b>\$5,542,575,000</b>

At the reduced levels of funding displayed above the WIC program would not have sufficient resources to support the anticipated levels of participation. Using the same assumptions regarding funding, participation, and food costs that were used to prepare the FY 2012 budget request for the program, at the specified levels of funding the participation that could be supported in the program would be:

President's Budget Request	\$9,612,516
10 percent Reduction	\$8,699,382
20 percent Reduction	\$7,729,270
25 percent Reduction	\$7,244,214

Thus, as a result of the specified funding reductions, the States would be forced to cut current participants from the program, and would be forced to institute waiting lists for new applicants seeking to join the program.

Finally, the funding levels for the Commodity Supplemental Food Program (CSFP) under the specified reductions would be:

President's Budget Request	\$176,788,000
10 percent Reduction	\$159,109,200
20 percent Reduction	\$141,430,400
25 percent Reduction	\$132,591,000

At the reduced levels of funding displayed above CSFP would not have sufficient resources to support the current caseload level and participation. Using the same assumptions regarding funding, participation, and food costs that were used to prepare the FY 2012 budget request for the program, at the specified levels of funding the approximate caseload that could be supported in the program would be:

President's Budget Request	\$604,931
10 percent Reduction	\$560,000
20 percent Reduction	\$516,000
25 percent Reduction	\$456,000

Thus, as a result of the specified funding reductions, the States would be forced to cut current participants from the program, and would be forced to institute waiting lists for new applicants seeking to join the program.

Mr. Graves: Mr. Under Secretary, the Department has before it a petition waiver from the State of New York concerning restrictions on SNAP purchases, right? And can you tell us when you expect the Department to make a decision on that request? Has the Department considered any similar waivers in the past?

Response: On October 6, 2010, the New York State Office of Temporary and Disability Assistance (OTDA) requested permission for a waiver to operate a demonstration project that would modify the list of allowable food items that can be purchased with Supplemental Nutrition Assistance Program (SNAP) benefits in New York City. Specifically, the request would add to the list of exceptions to the definition of "Food" under 7 U.S.C. 2012(k)(1):

- Sweetened beverages containing more than 10 calories per cup, exempting juice without added sugar, milk products, and milk substitutes, even if sweetened.
- Sweetened beverages are defined as carbonated or non-carbonated beverages (including syrup or powder for the preparation of beverages) that are sweetened with sugar or another caloric sweetener (e.g., high fructose corn syrup, sucrose, honey, etc.) and have at least 10 calories per 8 ounces of the beverage.

Finally, such waivers would fall under demonstration authority governed by the Food and Nutrition Act. Demonstrations require a substantive evaluation component. Such evaluations may require tapping limited State resources. FNS would also face a new demand on limited Agency resources to review State evaluation plans and results.

Mr. Graves: Does the Department know what it is SNAP recipients actually buy with their benefits? Would it be important, in your view, to have that information as USDA and Congress consider funding requests and other aspects of the SNAP program? Does the Department keep a list of foods that are allowed under SNAP and those that are not allowed - how would that type of thing work?

Response: While there are currently no national data on what foods SNAP households buy with their benefits specifically, we do know that over 84 percent of all benefits are redeemed in supermarkets and superstores which offer a wide variety of staple foods, including many healthful choices.

Data from the Consumer Expenditure Survey show that:

- Almost 75 percent of all SNAP households spend cash in addition to their benefit each month. In 2005, the average monthly amount of cash spent by these families was about \$175.
- Recent data show minor differences between low-income families and families at the high end of the income distribution when it comes to budget shares for each food category. Even though families with high incomes spent over twice as much on food at home, the proportions of total food expenditures by category are quite similar.

Food Categories	Percent of Annual Food-at-Home Expenditures		
	All consumer units	Lowest 20 percent of income	Highest 20 percent of income
Cereal and bakery products	0.13	0.13	0.13
Meats, poultry, fish and eggs	0.22	0.23	0.21
Dairy products	0.11	0.11	0.11
Fruits and vegetables	0.17	0.17	0.18
Other food at home	0.36	0.35	0.36
All food at home	1.00	1.00	1.00
Value of food at home	\$3,753	\$2,463	\$5,629

SOURCE: Consumer Expenditure Survey, 2009 (www.bls.gov).

USDA does not maintain a list of foods allowed under SNAP. The Act defines food broadly as, "any food or food product for home consumption except alcoholic beverages, tobacco, and hot foods or hot food products ready for immediate consumption". There are operational issues that would present themselves if USDA were to create and manage such a list. The task of identifying, evaluating and tracking the nutritional profile of every food



available, as well as to determine whether a product is a food or supplement, would be substantial. For example, there are more than 300,000 food products on the market, and an average of 12,000 new products were introduced each year between 1990 and 2000. The burden of identifying which products meet Federal standards would fall on an expanded bureaucracy or on manufacturers and producers asked to certify that their products meet Federal standards.

All available evidence indicates that the diets and food choices of most Americans are less than ideal, and that the diets and food choices of low-income individuals are most striking in their similarity rather than their differences with higher income individuals.

The Agency is planning a study to learn more about what foods are typically purchased with SNAP benefits. This study will identify and compare the feasibility of using alternative food purchase data - from large store chains, loyalty card companies and other commercial sources that offer such data. One or more of these data bases will be examined to estimate the proportion of SNAP benefits spent on different foods. If store sales and EBT transaction data can be linked at the household level, purchase patterns can be examined by benefit amount.

Questions Submitted by  
Mr. Sam Farr

CHILD NUTRITION REAUTHORIZATION

I know you have been rolling out guidance and regulations for the Child Nutrition Reauthorization (CNR).

Mr. Farr: What is the schedule for full implementation and do you see roadblocks that would impede implementation?

Response: USDA has been hard at work to implement the Healthy, Hunger-Free Kids Act of 2010. We will be taking many actions to implement the rule, including issuing implementation guidance, rulemaking, and training and consultation with stakeholders. To date we have issued approximately 16 memoranda to implement the mandatory provisions of the Act, beginning just days after enactment. The first proposed regulation, Nutrition Standards in the National School Lunch and School Breakfast Programs, was published on January 13, 2011. A number of proposed and interim rules will be published between now and December 2012. Final implementing rules will follow each proposal. Several provisions, such as the expansion of at-risk afterschool meals in CACFP, do not require rulemaking because the rules are already in place. An implementation plan is posted on the Food and Nutrition Service's website at [http://www.fns.usda.gov/cnd/Governance/Legislation/implementation\\_actions.pdf](http://www.fns.usda.gov/cnd/Governance/Legislation/implementation_actions.pdf)

We do not foresee any administrative roadblocks that would impede implementation.

Mr. Farr: Are you expecting to delay or postpone any part of the CNR package?

Response: With the exception of provisions subject to appropriations, we do not expect to delay or postpone any part of the Healthy, Hunger-Free Kids Act of 2010. Those provisions subject to appropriations will be delayed until funding is provided.

Mr. Farr: Do you have the resources necessary to implement, train, provide technical assistance and administer this program?

Response: The Healthy, Hunger-Free Kids Act of 2010 provided the resources necessary to implement the mandatory provisions. Some grant programs were given authorization for appropriations, but activity on those projects will not commence until appropriations are made. The President's 2012 budget requests \$10 million for School Breakfast Program expansion grants as authorized by Section 105 of the Act.

HEALTHY HUNGER-FREE KIDS ACT OF 2010

Mr. Farr: Section 206 of P.L. 111-296 (The Healthy Hunger-Free Kids Act) requires that any school district that chooses to sell competitive foods ensure that sales generate at least enough revenue to cover the cost of obtaining the food.

Congress established this requirement after the USDA Meal Cost Study (2006) showed that in many districts revenues from competitive food sales (non-program foods) were not covering the full cost associated with obtaining and selling competitive foods.

The Act contains a new formula districts are required to meet in order to help protect the significant Federal investment made to schools so students have access to healthy meals. The formula is also intended to strike a balance to improve financial integrity without requiring undue administrative burden. The concern is, however, that the formula established does not account for the variability of labor costs in competitive food programs.

Can you describe to me what USDA will be doing to ensure that school districts understand the need to protect the federal school meal investment and understand how to effectively implement this new formula?

Response: Section 206 of the Healthy, Hunger-Free Kids Act of 2010 requires school food authorities (SFAs) to generate at least as great a share of total revenue from non-program foods as non-program foods contribute to total food costs.

The intention of this provision is to ensure that Federal reimbursements are not used to cover the food costs associated with nonprogram food. USDA has estimated that nonprogram revenues fall short of the amount necessary to balance SFA food cost and revenue ratios by almost \$2.4 billion for the full 2011 fiscal year.

SFAs that are not currently in compliance with this provision will need to generate more revenue to meet the proportional requirement. It is likely that schools will choose to raise the prices they charge for nonprogram foods to generate this revenue.

We are currently working on both an interim rule and guidance to help SFAs as they implement this new provision. Both of these are expected to be published before the July 1, 2011 effective date. The guidance will provide a step-by-step guide on how to implement both Sections 205 and 206.

Mr. Farr: Further, what can USDA and state agencies do to ensure that school districts with higher labor costs for competitive food programs can identify this and minimize the unintended subsidy of competitive food programs with Federal dollars?

Response: Section 206 of the Healthy, Hunger-Free Kids Act of 2010 establishes a formula designed to generate at least as great a share of total revenue from non-program foods as non-program foods contribute to total food costs. The formula considers the cost of non-program food, not the cost of the school districts' labor. USDA will provide technical assistance and guidance and will monitor implementation of the provision to determine if labor cost issues inadvertently limit meeting the intent of the provision.

Questions Submitted by  
Ms. Rosa DeLauro

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP)

It has been argued by some that the recent growth in spending on SNAP benefits has been problematic and should be targeted for cuts. However, I would remind the subcommittee that, while SNAP spending has increased, these increases are not a sign that the program is growing out of control, but it has grown because of the declining economic circumstances of tens of millions of Americans.

The recent SNAP increases have been caused primarily by three factors:

- 1) the deepest economic recession since the program was established in its current form (which accounts for about two-thirds of the increase between 2007 and 2010);
- 2) a temporary increase to SNAP benefits that was enacted as an economic stimulus measure, and which economists across the political spectrum view as one of the most effective and efficient forms of economic stimulus; and
- 3) food price inflation (which was very high over the 2007 and 2008 period, eased in 2009 and 2010, but now appears to be on the rise again.)

According to CBO projections, as a share of the GDP, SNAP is expected to return to pre-recession levels by the end of the decade. As the economy improves, the need for and use of this program also will decline.

These projections are consistent with CBO's unemployment projections, which forecast that the unemployment rate will remain above 6 percent until 2015.

Ms. DeLauro: Based on these projections, should SNAP be targeted for cuts? Is it contributing to long-term budget pressures?

Response: SNAP should not be targeted for cuts because it is not contributing to long-term budget pressures but rather is responsive to the ups and downs of the American economy.

SNAP's national eligibility requirements respond quickly and consistently to changing economic conditions, whether national in scope or within specific regions or localities. The program expands to meet increased need when the economy is in recession and more eligible people participate and contracts when the economy is growing. Currently, the program is responding as designed to the economic downturn, providing support for families to put food on the table. As the economy improves and unemployment drops, fewer people will be eligible for the program and participation will decline. We have seen this pattern of responsiveness consistently over the past three decades.

SNAP benefits are 100 percent federally funded, and move quickly into the local economies - 97 percent of SNAP benefits are redeemed within a month. This is important not only for the families that receive the benefits but for the communities where the benefits are spent because SNAP has an economic multiplier effect. Every \$5 in new SNAP benefits generates \$9 in total economic activity, benefiting the grocery stores where the food was purchased, the distributors who delivered the food, and ultimately the

farmers who produced it. On average, \$1 billion of retail food demand by SNAP recipients generates close to 3,000 farm jobs.

In January, the Census Bureau reported that 4.5 million Americans did not slip into poverty last year because of SNAP. In addition, a recent USDA report, *Household Food Security in the United States, 2009*, noted that while the continued high levels of food insecurity are cause for concern, the fact that the food insecurity numbers did not increase between 2008 and 2009, despite a significant increase in the rate of poverty in the United States, underscores the important role of SNAP and the other Federal nutrition assistance programs in helping to prevent food insecurity.

Ms. DeLauro: If the economic recovery is faster or stronger than current projections, then SNAP spending also would decline more rapidly, correct?

Response: FNS uses the unemployment rate to forecast SNAP participation because historically there has been a close link between these data. For the FY 2012 President's Budget request, FNS used an estimate that the average unemployment rate in FY 2011 would be 9.5 percent, and in FY 2012 would be 8.8 percent. We would generally expect that, as the economy continues to recover and people become employed, SNAP participation would eventually decline, lowering program costs.

Ms. DeLauro: In the long term, would the upward pressures on spending then be focused on population growth and food price inflation?

The impact of SNAP on the economy is undeniable. Just one dollar of SNAP/Food Stamp benefits creates a "ripple effect" through the economy. A study by Moody's showed that the fastest way to infuse money into the economy is through expanding the SNAP/Food Stamp program. The study emphasized that if someone who is literally living paycheck to paycheck gets an extra dollar, it is very likely that they will spend that dollar immediately on whatever they need - groceries, to pay the telephone bill, to pay the electric bill. That single dollar helps to pay the salaries of the grocery clerks, pays the truckers who haul the food and produce cross-country, and finally goes to the farmer who grows the crops.

In addition to the Moody's study, USDA research shows that each \$5 of federal SNAP/Food Stamp benefits generates nearly twice that in economic activity.

Response: SNAP is counter-cyclical - when the economy is in recession, SNAP provides nutrition assistance to those in need while delivering a stimulus to the economy. Conversely, when the economy is booming, SNAP participation tends to decline because more people are employed and have less need for assistance.

SNAP participation is projected using employment level, which is a calculated number using population growth and unemployment rate. Population growth does affect the number of people receiving SNAP benefits, even if unemployment rates are stable. In addition, since benefits are tied to the Thrifty Food Plan (TFP), which is adjusted annually for inflation, food price inflation will lead to a higher maximum benefit level.

Ms. DeLauro: How many retail stores accept and redeem SNAP benefits? That figure is over 200,000 retail stores, correct?

Response: As of September 30, 2010, 216,738 retail grocery stores and meal services were authorized to accept SNAP benefits.

Ms. DeLauro: What does that translate into in terms of benefits flowing into small businesses and into local communities?

Response: In Fiscal Year 2010, about 180,000 or 83 percent of authorized retailers were small stores (i.e., smaller than supermarkets). They redeemed about \$10.6 billion in SNAP benefits or just over 16 percent of SNAP benefits were redeemed in that year.

However, all authorized retailers are located in local communities, and in total in fiscal year 2010, over \$64.4 billion in benefits were redeemed. SNAP benefits assist local communities by supporting the local retailers, in turn supporting persons hired by the retailers, as well as the local services and affiliated businesses that benefit from purchases by retailer employees.

#### SNAP PROGRAM INTEGRITY

Program integrity for SNAP is at an all-time high. To ensure that benefits are provided to only eligible households and in the proper amount, the Program has one of the most rigorous quality control systems of any public benefit program, and has achieved its lowest error rates on record in recent years.

Again in fiscal year 2009, as caseloads were rising, states set new record lows for error rates.

Ms. DeLauro: Is there any evidence to suggest that program errors or fraud are causing increased spending?

Response: The SNAP quality control system measures program certification errors arising from three sources: inadvertent participant errors; State agency administrative errors; and intentional fraud. From this data, FNS is able to estimate the impact of certification error on total program benefit issuance. Fiscal year 2009 data, the most recent information currently available, suggests that the net impact of all certification errors - both overpayments and underpayments - was to increase total program benefit issuance by 2.72 percent.

FNS is committed to minimizing all program certification errors and insuring that participants receive the benefits to which they are entitled - no more; no less. Toward this end, we monitor our quality control and improper payments progress against the more rigorous combined payment rate which reflects the total value of both over and under payments. For fiscal year 2009, the combined payment error was 4.36 percent. As you noted in your remarks, this represented a record low error rate. Additionally, it was the eleventh year in a row in which FNS, in collaboration with its State partners, improved overall payment accuracy.

## COMPETITIVE FOODS

As you know, Section 206 of The Healthy Hunger-Free Kids Act requires that any school district that chooses to sell competitive foods ensure that the sales generate enough revenue to cover the cost of obtaining the competitive food.

This requirement was included in response to the USDA Meal Cost Study in 2006 that showed that in many districts, revenues from competitive food sales (non-program foods) were not covering the full cost associated with obtaining and selling competitive foods. The Federal investment is not intended to offset costs from selling foods in competition with reimbursable meals.

Included in the law is a new formula districts are required to meet to help protect the significant Federal investment made to schools so students have access to healthy meals. The formula is also intended to strike a balance in the need to improve financial integrity without requiring undue administrative burden. However, there is some concern that the formula established does not account for the variability of labor costs in competitive food programs.

The method will be adequate in school districts where the labor costs for running the federal school meal programs and competitive food programs are roughly the same. But, the formula will not meet its intent, however, in school districts where labor costs for selling competitive foods are higher than the labor costs for school meals. This would be the case in schools that serve competitive foods that require more labor hours, more skilled labor, or a greater percentage of administrative oversight.

Ms. DeLauro: Given that schools will be required to be in compliance with this new accounting formula this upcoming school year, can you describe to me what USDA will be doing to ensure that school districts understand the need to protect the federal school meal investment and understand how to effectively implement this new formula?

Response: Section 206 of the Healthy, Hunger-Free Kids Act of 2010 is effective on July 1, 2011. To ensure schools are in compliance, the Food and Nutrition Service will issue both an interim rule and guidance to help school food authorities as they implement this new provision. Both of these are expected to be published before the July 1, 2011 effective date. The guidance will provide a step-by-step guide on how to implement Section 206.

Ms. DeLauro: What can USDA and state agencies do to ensure that school districts with higher labor costs for competitive food programs can identify this and minimize the unintended subsidy of competitive food programs with Federal dollars?

Response: Section 206 of the Healthy, Hunger-Free Kids Act of 2010 establishes a formula designed to generate at least as great a share of total revenue from non-program foods as non-program foods contribute to total food costs. The formula considers the cost of non-program food, not the cost of the school districts' labor. USDA will provide technical assistance and guidance and will monitor implementation of the provision to determine if labor cost issues inadvertently limit meeting the intent of the provision.

## FULL USE OF WIC FUNDS

As you know, there is a provision in the Healthy, Hunger Free Kids Act that require the full expenditure of federal administrative funds provided for the WIC and Farmers' Market Nutrition Programs.

Because of tight budget constraints over the past several years, some state and local governments were forced to implement hiring freezes and furloughs. This contributed to under-served WIC populations as WIC staffs were, and continue to be challenged to keep up with the demand for participation and still operate programs within the constraints of staffing limitations. As a consequence, unanticipated and unprecedented sums of federal grant funds to states have been returned to USDA.

The full use of federal funds provision was included in the Healthy, Hunger-Free Kids Act to assure the full delivery of WIC services, and to reduce negative impacts on WIC participants and eligible participants. It also was included to support state and local governments in fully utilizing their resources for state and local priorities while allowing state and local WIC programs to fully utilize federal resources.

Well, now it appears that State Health Officers and Governors are balking at the Full Use of Federal Funds Provisions and seem unwilling to comply. FNS has extended their deadline to receive signatures on Federal/State Agreements, but it is uncertain how states will respond.

Ms. DeLauro: How aggressive does FNS intend to be to pursue this matter and ensure accountability for the implementation of this provision?

Response: In the event that a State agency does not comply with this requirement, FNS will help that State agency develop a corrective action plan to bring it into compliance. Federal WIC and Farmers' Market Nutrition Program regulations identify actions for non-compliance should the corrective action plan be unsuccessful.

## WIC INFANT FORMULA COSTS

I remain staunchly committed to providing enough WIC funding so that all eligible applicants can be served. During FY 2012, at least 10 states will be entering into new contracts with infant formula manufacturers.

USDA recently found that when a state enters into a new contract, the wholesale price it pays for infant formula increases by an average of 73 percent. The new contracts in FY 2012 could have substantial implications for program costs, but this issue was not discussed in the budget.

Ms. DeLauro: What do you anticipate the cost of these new contracts to be? Does the funding level requested for fiscal year 2012 incorporate these anticipated costs?

Response: Fifteen geographic State agencies require an extension of their contract or a new contract effective October 1, 2011. Of these, six have awarded new contracts that yield a higher discount on the wholesale cost than the current contract, one has an active solicitation, four have extended their existing contract, and the remaining four are considering their extension options. In addition, five State agencies have contracts expiring



later in the fiscal year who are currently reviewing their contract options. While discounts appear to be trending upward, the funding level requested for fiscal year 2012 is conservative and does not adjust for decreases in post rebate price given the number of State agencies that have extended their existing contracts and the uncertainty of the terms of expiring contracts not yet extended or replaced with new contracts.

Ms. DeLauro: Will you keep us informed, as states receive bids on infant formula prices, of the discounts states are receiving and changes to the cost estimates that result?

Response: Yes, the Department will keep you informed as states receive bids, the discounts they receive and any resulting change to cost estimates.

#### COMMUNITY ELIGIBILITY OPTION

The child nutrition reauthorization legislation includes an important new option, known as community eligibility, which could allow thousands of schools in high-poverty areas to focus on feeding children rather than processing paperwork. Participating schools will be reimbursed based on a formula and will not have to process applications, so they will be able to devote their limited resources to providing nutritious meals and improving educational services.

Students in these schools will be able to eat in the cafeteria without worrying about any stigma from receiving a free meal. This is a terrific opportunity for states to serve more low-income children through the school meals program and it was not a costly provision because the reimbursement formula for participating schools approximates the reimbursements they receive now.

Ms. DeLauro: Can you please explain the steps you have taken to select the initial states in which the option will be available and how you will promote this option in the coming years?

Response: Section 104 of the Healthy, Hunger-Free Kids Act of 2010 directs USDA when selecting States for participation during the phase-in period, to select States "with an adequate number and variety of schools and local educational agencies that could benefit from" the Community Eligibility option.

To meet this requirement, the Food and Nutrition Service (FNS) developed a set of criteria to identify States with the greatest potential of covering the highest number of qualifying local education agencies (LEA), schools, and areas of high poverty. Data representing the number of eligible LEAs in each State, State share of schools and total student enrollment in areas of need, Supplemental Nutrition Assistance Program coverage per State and the State direct certification rate were evaluated.

Each State was ranked in relation to the other States to determine the States most likely to maximize benefit issuance and coverage during the phase-in period. Based on these criteria, FNS identified ten States eligible to apply for consideration for selection to participate in the option for the first year. After the initial year, FNS will reassess the criteria and use updated data to identify States eligible to apply for the subsequent two phase-in years.

In order to encourage the option, FNS issued a memorandum and guidance outlining the benefits and procedures to all State agencies on March 15, 2011. FNS conducted a webinar on March 25, 2011 for the States eligible to apply for the initial year to review the guidance and answer questions.

FNS will issue updated guidance through memoranda for each phase-in year as well as once the phase-in period is completed to assist all States and LEAs with electing the option. Throughout the phase-in period, the performance of the option will be monitored and an evaluation will be conducted to assess option participation and impact in the eligible LEAs and schools in the States selected. FNS also met with the United States Department of Education as well as advocacy groups to facilitate the promotion and education of the option in areas of high poverty.

#### COMMODITY SUPPLEMENTAL FOOD PROGRAM (CSFP)

While I applaud USDA's decision to request \$176.8 million for the Commodity Supplemental Food Program in FY 2012, enough funding to continue serving the existing monthly caseload of 604,000 in 39 states and the District of Columbia, I was disappointed that an additional \$5 million was not provided to begin expanding service into the 6 states with USDA-approved plans. Those states are Hawaii, Idaho, Maryland, Massachusetts, Rhode Island, and, of course, Connecticut -- a state with a quickly expanding senior population.

Ms. DeLauro: Can you explain why USDA decided not to make the request to expand this valuable nutrition program into additional states at a time when more seniors than ever in this country are in need of nutritious food assistance?

Response: Under current program regulations, any additional funding provided for CSFP must be used to provide more caseload to States already participating in the program, if they are eligible and have requested additional caseload slots. States already participating in the program have requested over 114,000 caseload slots more than the approximately 605,000 caseload slots which have been tentatively allocated for 2011. We would have to substantially increase our requested funding levels to first fulfill all outstanding requests from States already participating in CSFP, and then expand service to the six States with USDA-approved State plans. Given competing budget priorities, this was not feasible for the FY 2012 President's Budget.

#### THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP)

I continue to hear from my food banks and food pantries in Connecticut about the increased demand they are seeing statewide for emergency food assistance. While these organizations receive generous support from corporate and private donors, they would not be able to continue serving all of those in need were it not for the food provided to the food bank network by USDA through the Emergency Food Assistance Program (TEFAP).

Nationwide, TEFAP over the last several years has accounted for about one-quarter of all food moving through the emergency food network, and is among some of the most nutritious foods they distribute. However, it has come to my attention that food commodities provided by TEFAP are down significantly this year -- from a total of \$655 million last year to about \$355 million this year.

Ms. DeLauro: With the prospects for additional purchases of bonus commodities looking bleak, how is USDA planning to fill the gap in funding in FY2011 so that we can ensure that our food banks can continue to serve the more than 37 million low-income, food-insecure individuals they help each year?

Response: The Emergency Food Assistance Program (TEFAP) provides foods and administrative funds to States for further distribution to local organizations that assist the needy, including food banks, food pantries, and soup kitchens. The program provides a variety of healthy foods, helping families across the country put food on the table in times of need.

Through TEFAP, USDA supports the efforts of local feeding organizations, using funds specifically appropriated to support TEFAP and foods obtained through the Department's surplus removal and price support activities ("bonus commodities"). The availability of the latter is dependent on market conditions and varies each year. However, FNS will continue to look for opportunities to provide bonus commodities to TEFAP.

Many TEFAP participants may also be eligible to participate in SNAP. Encouraging such individuals to enroll in SNAP will not only provide them with additional nutritional assistance, but will help stretch food bank resources even farther.

#### FOOD SERVICE MANAGEMENT COMPANIES

In July 2010, the New York Attorney General's office agreed to settle a claim against Sodexo for \$20 million based on a state investigation that found the company withholding rebates due to 21 school districts and the State University of New York. The New York Attorney General's office determined that from September 2004 through August 2009, Sodexo received significant rebates from its suppliers without informing or passing the savings on to these schools - in direct violation of their contracts, as well as state and federal laws. These hidden incentives came to light only after two whistleblowers stepped forward to reveal them to the state.

The New York investigation also revealed that it is "common practice within the food service industry for service providers like Sodexo to leverage their size and market dominance to obtain rebates from vendors that supply food products, equipment and supplies." The New York OAG continues to investigate the rebating practices of other large, multi-national corporate providers of food service to public clients.

USDA already has taken steps to educate and help state agencies and school districts address potential abuses on the part of contractors in handling discounts, rebates and allowances. However, I remain concerned, that these practices may be prevalent in many more school districts around the country, potentially resulting in the misuse of tens of millions of dollars of taxpayer funds intended to provide school children with access to healthy school meals.

Ms. DeLauro: Do state agencies and school districts have the tools, expertise and staff resources necessary to monitor and enforce federal school meal procurement rules? If not, are there ways the USDA could help build or augment state and local capacity?

Response: The Food and Nutrition Service (FNS) has and will continue to provide technical assistance regarding procurement to State agencies and school food authorities (SFA) in order to help ensure that our programs are properly executed.

On October 31, 2007, FNS codified the final rule titled, "Procurement Requirements for the National School Lunch, School Breakfast and Special Milk Programs" (final procurement rule). The goal was to remedy deficiencies identified in audits and program reviews. The final procurement rule explicitly requires that allowable costs paid from the nonprofit school food service account be net of all discounts, rebates, and applicable credits and requires that the identification of discounts, rebates and credits is made transparent by the food service management company. The rule also clarifies review and monitoring requirements associated with contracts involving school food service operations.

Our technical assistance and training efforts address the proper handling of rebates, discounts, and applicable credits as well as the State agencies' role in reviewing SFAs' procurement procedures and cost reimbursable contracts prior to the issuance of a solicitation or contract execution. These also ensure that cost reimbursable contracts contain the required provisions to accomplish the important task of tracking discounts, rebates and applicable credits.

It is essential that State agencies and school food authorities understand procurement principles to ensure they apply those principles to procurements affecting the meals served in their schools. FNS recognizes specific and frequent training is needed as effective procurements require analytical legal, contractual, and accounting skills. To this end, FNS has taken a number of recent steps, including:

- In October 2010, FNS issued a reminder notice to all regional and State agency offices of the importance of ensuring compliance with the procurement requirements established in regulations affecting the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Special Milk Program (SMP).
- FNS provides training on procurement issues at national conferences, including the School Nutrition Association (SNA) and the American Commodity Distribution Association (ACDA).
- FNS developed a comprehensive, web-based procurement training program for States and SFAs. FNS released the first of three parts and anticipates the second part being issued in the next several months.
- FNS is currently providing webinar training to its regional offices on how to address procurement issues.

Additionally, FNS regularly issues guidance addressing a variety of procurement issues. Most recently, FNS issued a memorandum on October 1, 2010 to state agencies with oversight responsibility over these contracts advising them to be aware of possible illegal overcharges related to rebates when conducting reviews and audits of contracted school meal programs and to be more vigilant overall in their enforcement of USDA procurement regulation.

Ms. DeLauro: Does the USDA need to take-on additional oversight and/or enforcement responsibilities to ensure contracts with foodservice management companies are consistently executed to the advantage of school districts? If so, what further authority might be necessary in order to guarantee the integrity of the program and the proper and legal use of federal school meal program funding?

Response: State agencies and school food authorities (SFA) currently have the authority necessary for ensuring contract compliance involving food service management companies. The Food and Nutrition Service (FNS) continually provides training and technical assistance through a variety of approaches to enhance accountability in the school meals programs.

Due to the concerns raised by the Sodexo settlement, USDA's Office of Inspector General(OIG) will investigate procurement issues such as the misuse of discounts, rebates, and applicable credits. FNS expects this investigation will shed light on any additional steps needed to ensure the integrity of the program and the proper use of federal school meal program funding.

Ms. DeLauro: Are food service contractors disclosing enough information to school districts to be able to accurately identify the amount of discounts, rebates and allowances generated from purchases?

The Assistant Attorney General in New York (John F. Carroll) who is leading the investigation of the rebate practices of major school food service companies, recently stated his concerns about the potential impact lack of transparency in school food pricing could have on school nutrition.

According to Carroll, major school food service contractors like Sodexo go to great lengths to ensure that the products they use come from manufacturers willing to pay volume discounts for goods they purchase in large volumes, money that sometimes does not appear on any client invoice.

Carroll observed that some products can earn food service companies as much as 50 percent of the cost of the product itself. He noted that in at least one instance, a local wholesaler increased the price it charged to a school district for fresh produce, so that it could pay the food service company a rebate.

Carroll's findings mirror the results of an audit released by the USDA Office of Inspector General in 2005 which found in some cases, school districts were likely paying more for some food items by contracting with a food service management company.

Most troubling, when contractors fail to disclose the full value of vendor rebates, it is school children who are being short changed. Without full pricing transparency, school districts may be receiving less nutritional value for the money spent to produce school meals than they might otherwise believe they were providing.

Response: Regulations at 7 CFR Part 210.21(f) require specific information that school food authorities (SFA) must include in all cost reimbursable contracts (including contracts with cost reimbursable provisions), and in solicitation documents prepared to obtain offers for such contracts.

The regulations require that contractors identify the amount of each discount; rebate and other applicable credit on bills and invoices presented to the SFA for payment and individually identify the amount as a discount, rebate, or the nature of the credit. The regulation also requires contractors to identify the method by which they will report discounts, rebates and other applicable credits that are not reported prior to conclusion of the contract, and yet another explicitly requires that contractors maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the SFA, the State agency, or the Department.

Based on these guidelines, food service contractors should be disclosing enough information to school districts to enable districts to accurately identify the amount of discounts, rebates and allowances generated from purchases. Ongoing monitoring by SFAs and States is needed in order to ensure this information is being provided.

USDA's Office of Inspector General (OIG) will investigate procurement issues such as the misuse of discounts, rebates, and applicable credits. FNS expects this investigation will shed light on any additional steps needed to ensure the integrity of the program.

Ms. DeLauro: Do school districts have access to information that would enable them to determine whether their contractors are engaged in unbalanced pricing and/or the price reasonableness of items purchased on their behalf?

Response: If properly applied, procurement requirements are designed to ensure that offerors bid their prices in a clear and understandable fashion. In addition, school food authorities (SFA) are required to ensure that their contracts with food service contractors require the contractor to identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the SFA for payment and individually identify the amount as a discount, rebate, or the nature of the credit.

We do not have comprehensive information on how effectively these requirements are implemented. USDA's Office of Inspector General (OIG) will investigate procurement issues such as the misuse of discounts, rebates, and applicable credits. FNS expects this investigation will be informative in this regard.

Ms. DeLauro: How can the USDA and/or state agencies help districts conduct oversight of contractor purchasing to ensure contractors and their prime vendors are providing best value in their pricing?

Response: USDA and/or State agencies can help districts conduct oversight of contractor purchasing to ensure contractors and their prime vendors are providing the best value in their pricing through appropriate training.

Currently, the Food and Nutrition Service (FNS) has online procurement training available through the National Food Service Management Institute for State agencies and school food authorities (SFA). This training teaches the fundamental principles of procurement regulations. The second of the three topics, which focuses on planning, executing, and administering procurement, will be available in the next several months. FNS anticipates the third topic of the online training, which heavily focuses on food service

management companies and other contractor procurements, will be available to the SFAs at the end of the year depending on funding and staff resources.

Ms. DeLauro: Are food service management companies complying with USDA rules regarding competitive bidding practices? Is there a need to introduce new regulations to clarify or possibly tighten fiduciary responsibility requirements for FSMCs?

Response: The Food and Nutrition Service (FNS) needs more information to assess the current competitive bidding practices of food service management companies and whether they are complying with the bidding requirements. USDA's Office of Inspector General (OIG) will investigate procurement issues such as the misuse of discounts, rebates, and applicable credits. FNS expects this investigation will shed light on any additional steps needed to ensure the integrity of the program and the proper use of federal school meal program funding.

#### FUNDING FOR NEW MEAL STANDARDS

I am pleased that USDA is updating the nutrition standards for school meals and that kids will be receiving healthier food options in the school cafeteria. To help ensure that schools meet these standards, USDA needs to assess compliance in more schools more often.

Ms. DeLauro: What is USDA planning to do to beef up compliance reviews and help schools meet the new school meal standards?

Response: As required by section 207 of the Healthy, Hunger-Free Kids Act of 2010 (the Act), the proposed rule to update school meals would require State agencies to monitor compliance with the new meal requirements every three years, increasing the frequency from the current 5-year review cycle. More frequent reviews will allow State agencies to increase technical assistance to local program operators to help them comply with the new requirements. The proposed rule would also require the State agencies to monitor compliance with the meal requirements for breakfasts as part of the administrative reviews.

At the Federal level, USDA's Team Nutrition and the National Food Service Management Institute will develop technical assistance and training resources to help local program operators meet the new meal requirements. In addition, as required by the Act, USDA will develop a proposed rule to establish professional standards for school food service directors, which is expected to enhance the ability of schools to meet the new meal requirements.

#### SCHOOL LUNCH REIMBURSEMENTS

I am pleased that schools will have access to higher reimbursement rates for school lunches.

Ms. DeLauro: What are USDA's plans for how to certify schools to receive that increase?

Response: As required by section 207 of the Healthy, Hunger-Free Kids Act of 2010 (the Act), the proposed rule to update school meals would require State agencies to monitor compliance with the new meal requirements every

three years, increasing the frequency from the current 5-year review cycle. More frequent reviews will allow State agencies to increase technical assistance to local program operators to help them comply with the new requirements. The proposed rule would also require the State agencies to monitor compliance with the meal requirements for breakfasts as part of the administrative reviews.

At the Federal level, USDA's Team Nutrition and the National Food Service Management Institute will develop technical assistance and training resources to help local program operators meet the new meal requirements. In addition, as required by the Act, USDA will develop a proposed rule to establish professional standards for school food service directors, which is expected to enhance the ability of schools to meet the new meal requirements.

Ms. DeLauro: Will that certification process be streamlined to minimize the burden on schools?

Response: Yes, USDA acknowledges that the School Meal Programs are operated in partnership with schools and State agencies, and the very circumstances that have driven increased demand for these programs have also reduced the revenue available to States and schools to operate the programs. USDA will work diligently to develop an effective, streamlined certification process that minimizes the burden on schools and State agencies.

Ms. DeLauro: Will it kick in at the same time as the new meal standards go into effect to ensure schools have access to the new resources to help them pay for the whole grains, fruits, vegetables and other healthy food under the new meal standards?

Response: Yes, USDA anticipates that certification activities will begin coincident with the new meal standards, expected in Spring 2012 to maximize the number of schools that qualify for the increased reimbursement when it becomes available in October 2012.

#### SNAP EDUCATION CUTS

One of the unfortunate offsets to the child nutrition bill last year was the cut in SNAP Education funding. This is going to have a dramatic impact in Connecticut, where they will receive much less than what USDA approved for the current fiscal year.

Ms. DeLauro: What is the USDA doing to make sure that there are adequate funds for that and what can be done now?

Response: The Healthy Hunger-Free Kids Act of 2010 is very specific that funding be allocated through the Nutrition Education and Obesity Prevention Grant Program as 100 percent Federal funds without State match. The statute is also very clear that allocations are to be based on States' SNAP nutrition education (SNAP-Ed) expenditures for FY 2009, as reported to the Food and Nutrition Service in February 2010. Funding for FY 2011 is capped at \$375 million and will be indexed for inflation in FY 2012 and for each successive year thereafter.



Starting in FY 2014, the funding allocation formula changes, and 10 percent of the allocation will be based on the States' share of the total SNAP participation for the nation. Each year the proportion based on the States' SNAP participation will increase by 10 percent until FY 2018, when it reaches 50 percent, and the proportion based on the FY 2009 SNAP-Ed spending is 50 percent.

The law does not authorize additional Federal financial participation for SNAP-Ed activities from USDA beyond the fixed grant amount. States may, and are encouraged, to seed additional public or private funding to supplement their nutrition education activities.

Questions Submitted by  
Ms. Marcy Kaptur

COMMODITY SUPPLEMENTAL FOOD PROGRAM

Ms. Kaptur: Mr. Undersecretary, the administration has been a strong supporter of the Commodity Supplemental Food Program and requested robust levels for the program in FY 2012 yet I have not seen a reference to the program in your testimony. Please outline the reasons for your support for the program and the gap it fills for low income seniors?

Response: In the FY 2012 President's Budget, the administration requests \$176.8 million to support current program participation. This amount is approximately \$5 million over the FY 2011 request, and accounts for anticipated increased food costs and administrative expenses in FY 2012.

In my travels across the country, I have seen how important CSFP is for providing food assistance to the elderly. For elderly who are ineligible to participate in SNAP, or who find it impractical to do so, CSFP can help ensure access to nutritious food.

Ms. Kaptur: Current regulations require that the Department approve all caseload expansion requests prior to provide funding to start programs in new states. The National Commodity Supplemental Food Program Association has asked that this regulation be changed. What are your plans for taking action on their request?

Response: In 2011, States already participating in CSFP and eligible for additional caseload requested over 114,000 caseload slots more than the 605,000 caseload slots which we had the funding and resources to support. Our regulations currently require that any additional funding must be used to fund these caseload slots rather than add new States because, given the limited resources available to the program, it is more cost-effective to expand programs already operating and which can use the additional caseload, rather than begin new programs in new States.

THE EMERGENCY FOOD ASSISTANCE PROGRAM (TEFAP)

Ms. Kaptur: While there is often discussion about the ability of private donations to fill in the gaps and serve those in need, it is critical to note that Ohio alone, almost 30 percent of the food provided at food banks is provide by one program, the Emergency Food Assistance Program, yet, in the Republican full year CR, this program faces a \$6 million cut in infrastructure funding.

Mr. Secretary, could you please highlight for the committee your experience across the country in the necessity of the TEFAP program in meeting these gaps?

Response: TEFAP plays an important role in providing nutrition assistance through the nation's emergency feeding network, and USDA will do its utmost to ensure that TEFAP continues to fill that role. The President's FY 2012 budget requests a total of \$50 million in administrative funding for TEFAP, a slight increase over FY 2011. Unfortunately, we have had to make many difficult decisions about discretionary program funding, and we could

not support the additional TEFAP administrative resources for infrastructure grants.

#### SCHOOL FOOD CONTRACTS WASTE, FRAUD & ABUSE

Ms. Kaptur: Despite federal laws that mandate rules which contractors are required to credit school districts for deductions in total school meal programs for food costs from commodities, recent investigations have shown that companies like Sodexo, are not crediting districts for all of the surplus food that the USDA had shipped to the district. In my state of Ohio, auditors determined the total credit due to the Columbus Schools for the 2009-10 school year was just under \$400,000! Donated commodities play a critical role in helping lower school meal program costs while also supporting the US farm economy. What steps is the USDA currently taking to ensure the integrity of this program is not being undermined by a lack of financial accountability on the part of school food service contractors? Does the USDA need additional resources in order to ensure federal school food subsidies are not being lost through waste, fraud or abuse?

Response: Per program regulations, the primary responsibility for ensuring that food service management companies comply with contract provisions regarding accurate crediting of donated food value belongs to the State agencies that administer the program. USDA helps State agencies fulfill this responsibility by providing guidance, through conference presentations and training sessions; answering State inquiries on the matter; and issuing written guidance on an as-needed basis. USDA also conducts periodic management reviews of State agencies to evaluate their effectiveness in ensuring compliance with program regulations.

Some recent steps include:

- In October 2010, FNS issued a reminder notice to all regional and State agency offices of the importance of ensuring compliance with the procurement requirements established in regulations affecting the National School Lunch Program (NSLP), School Breakfast Program (SBP), and Special Milk Program (SMP).
- FNS provides training on procurement issues at national conferences, including the School Nutrition Association (SNA) and the American Commodity Distribution Association (ACDA).
- FNS developed a comprehensive, web-based procurement training program for States and SFAs. FNS released the first of three parts and anticipates the second part being issued in the next several months.
- FNS is currently providing webinar training to its regional offices on how to address procurement issues.

Additionally, FNS regularly issues guidance addressing a variety of procurement issues. Most recently, FNS issued a memorandum on October 1, 2010 to state agencies with oversight responsibility over these contracts advising them to be aware of possible illegal overcharges related to rebates when conducting reviews and audits of contracted school meal programs and to be more vigilant overall in their enforcement of USDA procurement regulation.

## FARMERS MARKET TRANSITION, JUNE 2010 REPORT TO CONGRESS

Ms. Kaptur: In a report provided requested by this committee that asked for the feasibility of installing wireless EBT terminals at farmers markets at every farmer market across the country, the administration stated the following "USDA is currently conducting research to determine the best methods and circumstances for implementing SNAP EBT and attracting SNAP households to the markets" Please update the committee on actions taken since this language was written in June 2010.

Response: FNS initiated two studies to assist in better understanding SNAP participation at farmers' markets as well as challenges faced by market operators in order to identify the most effective options for increasing market participation and access.

The first study, Nutrition Assistance in Farmers Markets: Understanding Current Operations, explores existing practices in using EBT to allow farmers' markets to redeem benefits from SNAP and the WIC and Seniors' Farmer's Market Nutrition Programs (WIC FMNP and SFMNP) through a survey of currently-participating markets and compares them to a sample of markets not participating in these programs. Results will help to identify successful models and inform guidance for broader use of nutrition program benefits in farmers' markets.

A contract for a second study, Nutrition Assistance Client Shopping Patterns at Farmers' Markets, will be awarded Summer, 2011 and focus on nutrition assistance program participants who do and do not redeem benefits in farmers' markets, to better understand who does and does not use farmers' markets and why, what foods they purchase there, and how such markets fit into their overall food shopping. There will be at least two components of the project: an analysis of EBT transaction data and a survey of program participants. The project complements the survey of market managers described above.

Ms. Kaptur: In this same report, USDA suggested the following "The Economic Research Service (ERS), Agricultural Marketing Service (AMS) and FNS are all engaged in research that will better inform the Department about best practices and factors that increase the likelihood of the successful markets." Please update the committee on the FNS interaction related to this research.

Response: FNS participates, along with ERS, in two working groups presided over by AMS. The key mission of these two partnerships is to create support for the farmers' market industry and expand access to local, nutritious foods, especially among low-income families served by USDA nutrition assistance programs.

Know Your Farmer, Know Your Food is composed of USDA agencies who work together to share information, identify data gaps and support research to address information needs. FNS is currently drafting a memorandum of understanding to facilitate data sharing across USDA agencies.

The Farmers' Market Consortium is a public/private sector partnership focused on sharing and publicizing information about funding and other technical resources available to farmers' markets, along with lessons learned from ongoing activities. FNS will contribute through two upcoming surveys -

one focused on the experience of farmers' markets interactions with SNAP, and a second on SNAP participant use of farmers' markets.

Ms. Kaptur: Please update the following statistics for fiscal year 2010 " (FY) 2009, 936 farmers' markets redeemed \$4,331,888 of the approximately \$50 billion total SNAP redemptions (0.01 percent) for the Program."

Response: In fiscal year 2010, 1,611 farmers' markets and direct marketing farmers redeemed \$7,547,028 of the approximately \$64 billion total SNAP redemptions (0.01 percent) for the program.

Ms. Kaptur: In the administration budget request, USDA has requested \$4 million to install wireless machines at farmers markets. Please describe for us the economic benefits for small famers of using wireless terminals at these markets.

Response: It is a USDA priority to ensure that SNAP participants have access to the fresh and nutritious food available at farmers' markets. USDA looks for opportunities to embrace farmers' market participation, and to leverage their ability to reach potentially eligible clients, and to perform nutrition education activities at markets. Our goal is to authorize an additional 200 farmers or farmers' markets and increase redemptions at such locations by \$750,000 each year.

The concentration of fresh and nutritious foods at farmers' markets helps introduce low-income households to a variety of healthy foods. As SNAP clients increase their demand for local produce, small farmers will experience an increase in their customer base.

For farmers' markets without access to a land line and electricity necessary for the standard EBT equipment to work, the only option is to incur the costs of purchasing wireless equipment, which is out of reach for most individual farmers. Markets and farmers at low volume markets may utilize the manual voucher process to accept SNAP benefits, however few do so.

The President's budget request for \$4 million reflects what would be needed to equip most, if not all, farmers' markets with EBT equipment. According to USDA's Agricultural Marketing Service (AMS), 6,132 farmers' markets were operating in the United States in fiscal year 2010, of which, 1,611 farmers' markets and direct marketing farmers accepted SNAP benefits. Many, if not most, farmers' markets will implement SNAP if this funding is made available.

Ms. Kaptur: As we know, individuals participating in the Supplemental Nutritional Assistance Program often receive little fresh fruits and vegetables. Encouraging these participants to use farmers market and to make it cost effective for them to redeem these benefits at farmers markets provides us with an important.

Response: Almost every American's diet is in need of improvement. Strategies to motivate healthier diets and reduce obesity need to address all of us. The Healthy Eating Index (HEI) is USDA's tool to monitor the extent to which people's diets conform to Federal dietary guidelines. The HEI-2005

score, our most recent, was 58 out of a possible 100. No subgroup - SNAP participants, eligible nonparticipants or higher income persons - had an average score higher than 58. USDA is committed to helping all Americans achieve healthy eating and has just issued, along with HHS, the 2010 Dietary Guidelines.

It is a USDA priority to ensure that SNAP participants have access to the fresh and nutritious food available at farmers' markets. USDA looks for opportunities to embrace farmers' market participation, and to leverage their ability to reach potentially eligible clients, and to perform nutrition education activities. Our goal is to authorize an additional 200 farmers or farmers' markets and increase redemptions at such locations by \$750,000 each year.

The concentration of fresh and nutritious foods at farmers' markets helps introduce low-income households to a variety of healthy foods. As SNAP clients increase their demand for local produce, small farmers will experience an increase in their customer base.

Farmers' Market Incentive Projects provide matching bonus dollars (paid for with private funding from organizations such as the Wholesome Wave Foundation) to SNAP and the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) clients for purchases made with program benefits.

USDA has streamlined the waiver process that farmers' markets must pursue to use scrip, token, or receipts at the market or to establish an incentive program offering bonus dollars for the purchase of additional produce with SNAP benefits. This not only simplifies the process for farmers' markets, but reduces the SNAP State agency requirements.

The President's 2012 budget proposed \$4 million to support the purchase of electronic benefit transfer (EBT) equipment for farmers' markets. Under regular SNAP rules, EBT equipment is provided free of charge and the expense is shared by the SNAP State agency and FNS; however, farmers' markets often cannot take advantage of such equipment because it requires electricity and a phone line.

Ms. Kaptur: Within your existing authorities, what actions could FNS take to ensure that wireless terminals are located at every farmers market in the country? FNS currently subsidizes brick and mortar stores to use ebt terminals but does not provide the same subsidy for the farmers markets. Do you have any plans to direct states to use their existing authorities more aggressively for this purpose?

Response: It is a USDA priority to ensure that SNAP participants have access to the fresh and nutritious food available at farmers' markets.

The President's budget requests \$4 million to expand the availability of point-of-sale terminals in farmers' markets that do not currently participate in SNAP because of cost barriers.

To expand the use of wireless terminals, the Food and Nutrition Service (FNS) partners with the Agricultural Marketing Service (AMS) to encourage farmers' markets to apply for grant opportunities that are currently available from AMS and elsewhere.

FNS also reminds States that current rules specify that retailers without the necessary infrastructure must be accommodated by an alternative system, such as manual vouchers; however, there is no requirement that a State agency provide special equipment, such as wireless equipment, to any retailer that does not have access to a telephone line and electricity.

State agencies do have the option, however, of requiring their contracted EBT vendor or another contracted vendor to provide wireless equipment to farmers' markets for SNAP EBT transactions. States using this option could be reimbursed by FNS at the 50 percent rate for allowable administrative expenses.

FNS is also talking to the private sector to explore mobile solutions, such as a smart phone application, that meets technical and regulatory requirements for accepting SNAP. This new development could lower the cost and administrative burden of procuring and maintaining a wireless terminal. Several States have expressed interest in mobile solutions for SNAP. FNS would support any State that wishes to pursue mobile solutions. If a State wishes to take that step, FNS would pay 50 percent of the administrative cost, subject to cost allocation requirements specified by law and regulation.





THURSDAY, MARCH 10, 2011.

**DEPARTMENT OF AGRICULTURE—MARKETING AND  
REGULATORY PROGRAMS**

**WITNESSES**

**EDWARD AVALOS, UNDER SECRETARY FOR MARKETING AND REGULATORY PROGRAMS, DEPARTMENT OF AGRICULTURE**  
**CINDY SMITH, ADMINISTRATOR, ANIMAL AND PLANT HEALTH INSPECTION SERVICE**  
**J. DUDLEY BUTLER, ADMINISTRATOR, GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION**  
**RAYNE PEGG, ADMINISTRATOR, AGRICULTURAL MARKETING SERVICE**

**OPENING STATEMENT**

Mr. KINGSTON. Mr. Under Secretary, if you guys are ready, we are going to go ahead and start. Mr. Bishop and I are going to hold down the fort. And one of the things that we have experienced right now is all the subcommittees and committees are meeting all the time.

In fact, I believe, Mr. Bishop, Mr. Issa told me that they were doing eight committees a week, or something like that. So we are not quite at that tempo, because we like to know what we are having hearings on. But we do believe that it is good to start on time and accommodate Members as they come and go. And a lot of people will be sending in questions for the record, and so forth. So there will be some other questions.

But let me welcome you and just say one of our major concerns, as you know right now, is the budget. And so everything is kind of seen through the prism of spending and what we can do better for our mutual constituents.

And I am going to recognize Sanford Bishop, see if he has any opening statements.

Mr. BISHOP. No opening statements, other than to just welcome you. You are some very, very key players in the mission areas that you serve. And of course, we look forward to hearing from you and knowing how we can help you best fulfill those missions. They are very, very important. The American people are depending on you in so many ways.

And so, without any further discussion, we would like to hear from you.

Mr. KINGSTON. And, Mr. Under Secretary, if you want to introduce your panelists that will be fine, and maybe start there. And then the floor is yours.

Mr. AVALOS. Okay. I do have an opening statement, Mr. Chairman. Did you want me to make that now, or—

Mr. KINGSTON. Yes, yes. Whatever works for you.

Mr. AVALOS. Okay.

Mr. KINGSTON. Do you want to highlight it? Whatever. But you do as you feel comfortable.

Mr. AVALOS. Okay. Very well, Mr. Chairman. Thank you very much. And, Congressman Bishop, thank you. I am pleased——

Mr. KINGSTON. And I want to say something. I should have said from the beginning I am not sure—I know that we used to have some New Mexico pictures here. I do not know if that is one of them, but at one time your friend, Joe Skeen, sat in this chair. And I know that you were a constituent of his, so——

Mr. AVALOS. I am a little concerned you do not have any sheep hanging anywhere.

Mr. KINGSTON. Okay. We used to have one, but Sanford and I ripped that out and put in cotton and peanuts. [Laughter.]

Mr. AVALOS. Well, perhaps, Mr. Chairman, I can supply you with some pictures of New Mexico peanuts and New Mexico pecans.

Mr. KINGSTON. We will be glad to consider that.

#### INTRODUCTION OF WITNESSES

Mr. AVALOS. Okay. With me today, Mr. Chairman, are Rayne Pegg, our administrator for the Agricultural Marketing Service—AMS; Cindy Smith, our administrator for the Animal and Plant Health Inspection Service—APHIS, Dudley Butler, our administrator for the Grain Inspection, Packers and Stockyard Administration—GIPSA. And they also have statements for the record, and they will be here to answer questions.

As the President said in his State of the Union Address, “We measure progress by the success of our people, by the jobs. By the jobs, they can find the quality of life those jobs offer.” The Marketing and Regulatory Programs—MRP agencies provide a range of services that contribute to the success of our citizens as they compete in a global environment.

MRP facilitates and expands domestic and international marketing of U.S. agricultural products, helps protect the agricultural sector from plant and animal health threats, and we help ensure humane care and treatment of certain animals.

MRP assists agricultural producers and their management and marketing—provide information and marketing tools. This includes developing and overseeing national standards for the production and handling of agricultural products labeled as organic under the National Organic Program.

By enhancing protection of the nation’s agriculture from pest and disease, MRP also increases the efficiency of production in domestic and international marketing of U.S. commodities.

MRP provides oversight to protect producers from unfair competition and unfair business practices.

Efforts by MRP staff have yielded results. For example, last year APHIS helped resolve more than 100 sanitary and phytosanitary trade issues, including opening new markets and expanding existing market access for U.S. agricultural products valued at \$2.4 billion.

Domestically, APHIS has nearly eradicated the boll weevil, having cleared it from 98 percent of the 16 million acres of U.S. cotton in this country. GIPSA has maintained compliance of the Packers

and Stockyards Act at a level of 80 percent. To help develop and support market opportunities and outlets for farmers in rural America, AMS purchased almost \$1 billion in food produced by American farmers and processors.

The 2012 budget funds the most important priorities, while exercising fiscal discipline that is necessary to reduce the federal deficit. As the Secretary said before to this subcommittee, the budget demonstrates the fiscal sacrifices we need to make. Now I would like to discuss the budget requests for the MRP agencies.

For the Agricultural Marketing Service, the President's budget includes \$98 million in discretionary appropriations so AMS may facilitate the competitive and efficient marketing of agricultural products. AMS programs benefit producers, traders, and consumers of U.S. food and fiber products. The budget includes an increase of \$300,000 to maintain Farm-Bill funded reporting of organic commodities in our Market News Program. This is more than offset by program efficiencies, and includes an overall program decrease of \$700,000.

The request for the National Organic Program includes an increase of about \$3 million. These efforts will better insure the integrity of the organic label.

By combining the Transportation Service and Wholesale Farmers and Alternative Market Development Program into one program, the Agency will have more flexibility to support USDA priorities. The total includes an increase of almost \$2 million to improve access to local and regional-produced foods.

For the Microbiological Data Program, we are requesting an increase of \$250,000 to enhance product sampling. Specifically, this will allow the program to capture a larger number of imports during the winter months.

AMS provides the Environmental Protection Agency the data they need for pesticide risk assessments. To do so, the Pesticide Data Program must adequately reimburse cooperating states for their services. The budget includes an increase of \$1.2 million for state sample collection, and testing the foods and drinking water needed by the federal program.

In the Federal State Marketing Improvement Program, AMS provides matching funds to state departments of agriculture for projects aimed at improving market efficiency, reducing marketing costs for producers, and lowering food costs for consumers. The 2012 budget requests an increase of \$1.3 million, which will be targeted for grants focused on local and regional food systems.

For Commodity Purchase Services, an increase of \$882,000 in section 32 funds is requested to enhance our efforts with the Food and Nutrition Service's Farm-to-School team to better link locally and regionally-grown foods to school feeding programs.

Given the expected completion of our data management system in 2011, a decrease of \$1.1 million is included for our Country of Origin Labeling program.

The Animal and Plant Health Inspection Service has a broad mission that includes protecting and promoting U.S. agricultural health, including regulating genetically-engineered organisms, administering the Animal Welfare Act, and carrying out wildlife damage management activities. The budget proposes discretionary ap-

appropriations of approximately \$837 million, a net decrease of \$76 million, compared to 2011.

In general, the budget proposes a reallocation of resources from programs that have achieved success and for those which progress in eradication is not deemed possible at this time, to those where success in eradication may be feasible. The budget also places greater responsibility on cooperators, and proposes the eliminating of about \$27 million in earmarks. These are difficult choices. But difficult choices like this allow for investments that we requested in 2012.

For safeguarding and emergency preparedness/response, the budget requests a total of about \$758 million. The new activity would encompass many individual items in the current APHIS budget presentation to deal with Pest and Disease Exclusion, Plant and Animal Health Monitoring, and Pest and Disease Management.

For Animal Health, the budget includes an increase of \$8.9 million for animal disease traceability efforts. Capitalizing on the previous animal ID and disease eradication investments, as well as extensive outreach including a State, Tribal, and Federal traceability regulation working group, we are developing an approach that empowers states and tribes to find and use the most effective means to identify animals that are moving interstate. This line also includes an increase of \$3.8 million to adequately fund veterinary diagnostic work at the National Centers for Animal Health.

Increases related to Plant Health would amount to \$24.5 million, of which \$10 million would be utilized to control the light brown apple moth; \$2.5 million would help eradicate the European grapevine moth. An increase of almost \$12 million is needed to eradicate the Asian Longhorned Beetle in Massachusetts, New Jersey, and New York.

For Wildlife Services, an increase of \$1.4 million is requested to implement a more formal safety program for our staff. For Regulatory Services, the budget includes an increase of \$12 million for biotechnical and regulatory activities.

An additional \$3.3 million will help enforce the Animal Welfare Act as APHIS, in response to an audit from the Office of Inspector General, seeks to increase compliance by problematic dog dealers.

With more inspections, a greater number of referrals is expected to be received by the regulatory enforcement program. For Animal Welfare efforts, a \$6.6 million increase is requested to enhance inspection activities related to dog dealers who repeat, and serious violators of the Animal Welfare Act. Increased inspections are expected to reveal a greater number of violations which, in turn, would be referred to the regulatory enforcement program.

An increase of almost \$400,000 would help APHIS respond to findings by the OIG, and enhance oversight of horse shows as part of its mandate to enforce the Horse Protection Act.

The mission of the Grain Inspection, Packers and Stockyards Administration is to facilitate the marketing of livestock, meat, poultry, cereals, oilseeds, and related agricultural products, and to promote fair and competitive trade for the benefit of consumers in American agriculture. GIPSA fulfills the mission through the Packers and Stockyards Act and the Federal Grain Inspection Service.

The budget proposes total discretionary appropriations of \$44 million, including a request for an additional \$2.2 million to allow the packers and stockyards program to further bolster market protections for buyers and sellers of livestock and poultry through greater compliance, investigative, and enforcement activities in the field.

In closing, Mr. Chairman, the budget request for MRP supports the President's vision for a strong rural America, through MRP's contribution to the achievement of all four of USDA's goals. It does this while conserving taxpayer dollars. The 2012 MRP budget—discretionary appropriations—request is about a 7 percent, or almost \$70 million, decrease below the 2010 discretionary appropriations. The request includes funding for the highest budget priorities in the MRP mission area.

Mr. Chairman, this concludes my statement. I look forward to working with this committee on the 2012 budget. And we are here to answer any questions you might have.

[The information follows:]

Statement of Mr. Edward Avalos,  
Under Secretary of Agriculture for Marketing and Regulatory Programs  
before the Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration, and Related Agencies

Mr. Chairman and distinguished members of this Subcommittee, I am pleased to appear before you to discuss the activities of the Marketing and Regulatory Programs (MRP) mission area of the U.S. Department of Agriculture (USDA) and to present the fiscal year (FY) 2012 budget proposals for the Agricultural Marketing Service (AMS), the Animal and Plant Health Inspection Service (APHIS), and the Grain Inspection, Packers and Stockyards Administration (GIPSA).

With me today are Rayne Pegg, Administrator of AMS; Cindy Smith, Administrator of APHIS; and J. Dudley Butler, Administrator of GIPSA. These Administrators have statements for the record and will answer questions regarding specific budget proposals.

As the President said in his State of the Union address, "We measure progress by the success of our people. By the jobs they can find and the quality of life those jobs offer." The MRP agencies provide a range of services that contribute to the success of our citizens as they compete in a global environment. The MRP mission area contributes to all four of USDA's strategic goals: assisting rural communities to create prosperity so they are self-sustaining, repopulating, and economically thriving; ensuring our national forests and private working lands are conserved, restored, and made more

resilient to climate change while enhancing our water resources; helping America promote agricultural production and biotechnology exports as America works to increase food security; and ensuring that all of America's children have access to safe, nutritious, and balanced meals.

MRP facilitates and expands the domestic and international marketing of U.S. agricultural products, helps protect the agricultural sector from plant and animal health threats, and helps ensure humane care and treatment of certain animals. MRP assists agricultural producers in their management and marketing by providing information and marketing tools. This includes developing and overseeing national standards for the production and handling of agricultural products labeled as organic under the National Organic Program, among other items. By enhancing protection of the Nation's agriculture from pests and diseases, MRP also increases the efficiency of production and domestic and international marketing of U.S. commodities. MRP provides oversight to protect producers from unfair competition and unfair business practices.

Efforts by MRP staff have yielded results. For example, last fiscal year, APHIS helped resolve more than 100 sanitary and phytosanitary trade issues, including opening new markets and retaining and expanding existing market access for U.S. agricultural products valued at \$2.4 billion. Domestically, APHIS has nearly eradicated the boll weevil, having cleared it from 98 percent of the 16 million acres of U.S. cotton. GIPSA maintained compliance of the Packers and Stockyards Act at 80 percent, despite the significant financial downturn that affected all market segments. To help develop and support market opportunities and outlets for farmers and rural America, AMS purchased almost \$1 billion in food produced by America's farmers and

processors; and supported farmers markets through an expanded searchable database, thus providing jobs and prosperity in rural America. The number of farmers markets has more than doubled since 2000. America's producers have experienced a substantial improvement in farm income as a result of AMS process verified and inspection programs and direct sales to consumers, restaurants, schools, and other institutional outlets. AMS strives to assist the agriculture community to meet this consumer demand.

#### FUNDING SOURCES

The 2012 budget requests total budgetary authority of about \$2.6 billion for the MRP agencies, of which almost \$980 million is from discretionary appropriations, almost \$1.1 billion from Customs receipts, about \$400 million from fees charged to the direct beneficiaries of MRP services, and \$120 million from mandatory Farm Bill funding. For discretionary appropriations, the President's budget request for AMS is almost \$100 million, \$837 million for APHIS, and \$44 million for GIPSA. The 2012 budget funds the most important priorities while exercising fiscal discipline that is necessary to reduce the Federal deficit. As the Secretary said before this Subcommittee, the budget demonstrates the fiscal sacrifices we need to make, as I will discuss later. I would like to highlight the major activities and the budget requests for the MRP agencies.



AGRICULTURAL MARKETING SERVICE

The mission of AMS is to facilitate the competitive and efficient marketing of agricultural products. AMS programs benefit producers, traders, and consumers of U.S. food and fiber products. The Agency accomplishes this mission through a wide variety of activities that help improve the marketing of U.S. food and fiber products.

THE 2012 BUDGET REQUEST FOR AMS

For 2012, the President's budget request for AMS proposes a program level of about \$1.4 billion, of which \$98 million are discretionary appropriations; close to \$1.1 billion are from Section 32 funds; \$162 million are user fees; and \$65 million are mandatory Farm Bill funding. I would like to highlight aspects of the budget request:

A total of about \$33.5 million for Market News. The request includes an increase of \$300,000 to maintain one-time, Farm-Bill funded reporting of organic commodities. This is more than offset by program efficiencies, to be achieved by report modifications, staff reductions, and closing or co-locating field offices. This request includes an overall program decrease of \$700,000.

A total of about \$10 million for the National Organic Program. This request includes a program increase of \$3 million for regulatory review, enforcement, and development of equivalency agreements. These efforts will better ensure the integrity of the organic label.

A total of about \$7.7 million for the Transportation and Market Development Program. By combining the Transportation Services and the Wholesale, Farmers, and

Alternative Market Development Program into the Transportation and Market Development Program, the agency will have more flexibility to support USDA priorities. The total includes a program increase of about \$2 million to improve access to local and regionally produced foods. This increase will allow additional projects to be undertaken, such as exploring the potential for using farmers market facilities as product aggregation/distribution points for local food deliveries to restaurants, retail, and institutional clients, and assistance to beginning farmer markets.

A total of about \$5 million for the Microbiological Data Program (MDP). This includes a program increase of about \$250,000 to enhance product sampling. Specifically, this will allow the program to capture a larger number of imports during winter months. I note that when the MDP shared results of positive *Salmonella* detections with the Food and Drug Administration (FDA) last year, FDA performed follow-up investigations that resulted in several limited, voluntary recalls of affected lots of fresh produce, thereby reducing public exposure as well as minimizing economic loss for producers.

A total of about \$16.6 million for the Pesticide Data Program (PDP). To provide the Environmental Protection Agency the data it needs for pesticide risk assessments, the PDP must adequately reimburse the 12 cooperating States for their services. The budget includes a program increase of about \$1.2 million for their sample collection and testing of foods and drinking water needed by the Federal program. This request will help maintain sampling and testing levels.

A total of almost \$3 million for the FSMIP. Under the FSMIP, AMS provides matching funds to State Departments of Agriculture for projects aimed at improving

marketing efficiency, reducing marketing costs for producers, and lowering food costs for consumers. The 2012 budget requests an increase of \$1.3 million for the matching grant program. The new funding would be targeted to grants that focus on local and regional food marketing opportunities.

A total of about \$13 million for Commodity Purchase Services. This includes an increase of \$882,000 in Section 32 funds to enable AMS to work with the Food and Nutrition Service's Farm to School Team to better link local and regionally grown foods to school feeding programs.

A total of almost \$9.6 million for the Country of Origin Labeling (COOL) Program. Given the expected completion of a data management system during FY 2011, a decrease of \$1.1 million is included in the budget.

#### ANIMAL AND PLANT HEALTH INSPECTION SERVICE

The Animal and Plant Health Inspection Service has a broad mission that includes protecting and promoting U.S. agricultural health, including regulating genetically engineered organisms; administering the Animal Welfare Act; and carrying out wildlife damage management activities. Together with customers and stakeholders, APHIS helps protect the health of animal and plant resources which enhances market access in the global marketplace and ensures abundant agricultural products and services for U.S. customers.

## THE 2012 BUDGET REQUEST FOR APHIS

The budget request proposes discretionary appropriations of about \$837 million. In addition, existing user fees of about \$192 million will support Agricultural Quarantine and Inspection activities. Further, the Farm Bill provides \$55 million for the National Clean Plant Network and the Plant Pest and Disease Management Program in 2012. The budget proposes a change from many, pest-specific lines, to a smaller number of commodity-based lines (such as cattle, swine, field crops, and specialty crops) to improve the agency's ability to address new threats quickly and focus resources to achieve results. A brief description of key efforts supported by the budget request follows.

The budget for APHIS includes a net decrease of about \$76 million compared to the annualized 2011 continuing resolution. In general, the budget proposes a reallocation of resources from programs that have achieved success (e.g., cotton pests and screwworm) and for those which progress in eradication is not deemed feasible (e.g., emerald ash borer), to those efforts where success in eradication may be feasible (e.g., Asian longhorned beetle, European grapevine moth, and the light brown apple moth). The budget also places greater responsibility on cooperators, and proposes the elimination of about \$27 million in earmarks. Difficult choices like these allow for the following strategic investments in FY 2012.

A total of about \$758 million for Safeguarding and Emergency Preparedness/Response. This new activity would encompass many individual items in the current APHIS budget presentation that deal with pest and disease exclusion, plant

and animal health monitoring, and pest and disease management. For *animal health*, a notable increase is \$8.9 million for animal disease traceability efforts. Capitalizing on previous animal identification and disease eradication program investments, as well as extensive outreach including a State, Tribal, and Federal Traceability Regulation Working Group, we are developing an approach that empowers States and Tribal Nations to find and use the most effective means to identify animals moving interstate. This line also includes a requested increase of \$3.8 million to adequately fund veterinary diagnostics work at the National Centers for Animal Health.

Increases related to *plant health* would amount to \$24.5 million, of which \$10 million would help control the light brown apple moth, and \$2.5 million would help eradicate the European grapevine moth. An increase of almost \$12 million is needed to eradicate the Asian longhorned beetle in Massachusetts, New Jersey, and New York. The Massachusetts outbreak is the closest the pest has come to New England's hardwood forests.

For *Wildlife Services*, an increase of \$1.4 million is requested related to recommendations by an external, safety experts' review for APHIS to implement a more formal nationwide safety program for staff.

For *Regulatory Services*, the budget includes an increase of \$12 million for biotechnology regulatory activities. As the number and complexity of proposed biotechnology products increase, additional efforts are needed to provide sufficient and timely review, as well as increase compliance oversight and deal with related trade issues. An additional \$3.3 million would help enforce the Animal Welfare Act, as

APHIS, in response to an audit by the Office of Inspector General (OIG), seeks to increase compliance by problematic dog dealers. With greater efforts by inspectors, a greater number of referrals is expected to be received by the Regulatory Enforcement Program.

A total of almost \$35 million for Safe Trade and International Technical Assistance. An additional \$1.5 million is requested to establish a dedicated program to continue implementing the 2008 Farm Bill amendments to the Lacey Act, which are intended to prevent the importation of products derived from illegally harvested timber in other countries. The increase will allow APHIS to more effectively and efficiently implement the amended Act. An additional \$600,000 will be used to address the growing number of requests by developing countries to help strengthen their regulatory capacity to detect and address pests and disease, thus reducing the risk of transboundary spread via trade.

An increase of \$7 million for Animal Welfare efforts. A \$6.6 million increase is requested to enhance inspection activities related to dog dealers who are repeat and serious violators of the Animal Welfare Act. Increased inspections are expected to reveal a greater number of violations, which in turn would be referred to the Regulatory Enforcement Program. An increase of almost \$400,000 would help APHIS respond to findings by the OIG and enhance oversight at horse shows as part of its mandate to enforce the Horse Protection Act.

The budget also includes several user fees proposals. One would cover the costs of licensing and registration services for entities regulated under the Animal

Welfare Act. Another would cover the cost of services related to regulation of organisms and products derived through biotechnology. A third would be for license applications related to veterinary biological products. This latter fee would allow the program to provide more timely services to license applicants.

#### GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

GIPSA's mission is to facilitate the marketing of livestock, meat, poultry, cereals, oilseeds, and related agricultural products and to promote fair and competitive trade for the benefit of consumers and American agriculture. GIPSA fulfills this mission through the Packers and Stockyards Program (P&SP) and the Federal Grain Inspection Service.

#### THE 2012 BUDGET REQUEST FOR GIPSA

The budget proposes a program level of about \$94 million, of which approximately \$50 million is from existing inspection and weighing user fees. Of the discretionary appropriations request of about \$44 million, about \$18 million is devoted to the grain inspection service activities including standardization, compliance, and methods development activities and approximately \$26 million to the P&SP. The budget includes a request for an additional \$2.2 million to allow the P&SP to further bolster market protections for buyers and sellers of livestock and poultry through greater compliance, investigative, and enforcement activities in the field. Increased funding would enable GIPSA to perform approximately 500 additional inspection and compliance reviews per year and increase detection of Packers and Stockyards Act violations. This increased oversight is expected to prevent violations and protect about 8,400 additional livestock sellers and poultry growers.

The budget also includes proposals to collect fees to cover the costs for the development of grain standards and the costs of the Packers and Stockyards Program.

CONCLUSION

In closing, the budget request for MRP supports the President's vision for a strong rural America through MRP's contribution to the achievement of all four of USDA's strategic goals. It does this while conserving taxpayer dollars—the 2012 MRP discretionary appropriations request is about 7 percent, or almost \$70 million, below 2010 discretionary appropriations. The budget request includes funding for the highest budget priorities for the MRP mission area.

This concludes my statement. I look forward to working with the Subcommittee on the 2012 budget and will be glad to answer questions you may have on these budget proposals.



ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
Statement of Cindy J. Smith, Administrator  
Before the Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration, and Related Agencies

Mr. Chairman and distinguished members of this Sub-committee, I appreciate the opportunity to appear before you on behalf of the dedicated and hard-working men and women of our Agency to discuss the United States Department of Agriculture's priorities for the Animal and Plant Health Inspection Service (APHIS) and to provide you with an overview of our Fiscal Year (FY) 2012 budget request.

APHIS is committed to working with States, Tribal Nations, farmers, ranchers, and private citizens to address the animal and plant pest and disease challenges that affect U.S. agriculture, including our natural resources, and its ability to feed, clothe, and provide fuel for Americans and the world. Our programs support the Secretary's goals of assisting rural communities to create prosperity so they are self-sustaining, repopulating, and economically thriving; ensuring our national forests and private working lands are conserved, restored, and made more resilient to climate change, while enhancing our water resources; helping America promote agricultural production and biotechnology exports as America works to increase food security; and ensuring that all of America's children have access to safe, nutritious, and balanced meals.

With the need to address the national debt, we know we have a responsibility to the American taxpayers to account for what we spend, focus on the highest priorities, eliminate waste, and accomplish our mission more efficiently. With this in mind, we have taken a hard look at our programs and the APHIS budget and identified areas where we can do things differently. The budget achieves savings through a variety of means. We are proposing responsible reductions, including decreases for activities where eradication campaigns have been successful, such as cotton pests, pseudorabies, and screwworm, and for pests and diseases where eradication is not likely, such as tropical bont tick and sirex. Savings are also possible in the avian health program without affecting overall performance. Further, the budget achieves other savings by acknowledging the role of the producer to engage in best management practices to reduce certain diseases, such as Johne's Disease. These savings allow us to propose increases for selected pests, including the light brown apple moth and the European grapevine moth. We are also proposing a plan to restructure the APHIS budget to provide opportunities for flexibility and efficiency over the long term.

I am proud of the hard work done by APHIS employees and would also like to report on just a few of our accomplishments of the past year. A year ago at this time, Secretary Vilsack announced a new approach to animal disease traceability to better position the United States in preventing disease from spreading and eradicating disease where it exists by quickly tracing infected and exposed animals. This new approach directs more responsibility to the State and Tribe levels, and it offers basic, low-cost animal identification options that are well supported by most sectors of the animal agriculture industry. It also focuses on results rather than on prescribed methods. We have taken deliberate and transparent steps towards implementing a

new framework for animal disease traceability based on these principles. We conducted extensive outreach to help develop the content of the program and convened a State, Tribal, and Federal Traceability Regulation Working Group. The new framework will focus on where the impact of disease spread is the greatest—animals moving interstate.

The new framework for animal disease traceability is also designed to capitalize on previous investments. APHIS has a well-functioning information technology system for animal disease traceability. This year we initiated several updates to incorporate the principles of State- and Tribal-owned data and to give States and Tribes more options for data management. For example, the premises information repository, which previously centralized the records of all producers, is being changed to allow States and Tribes to store only the information they prefer. We are also continuing communication with farmers and ranchers through our Community Outreach Partners, which include representatives from the livestock industry, State and Federal disease traceability staff, and Tribal Nations. We anticipate publishing a proposed rule on the animal disease traceability program this spring and look forward to continuing to work with this Committee, our State and Tribal partners, and farmers and ranchers in implementing a system that will enhance our emergency preparedness while preserving flexibility.

We have reached a major milestone in our ongoing effort to prevent the screwworm, a parasite that once caused hundreds of millions of dollars in damage to American livestock and other warm-blooded animals, from entering the United States. Our new sterile-fly rearing facility in Panama is fully operational, thanks to the continuing support of this Sub-committee. We can now more efficiently and effectively maintain a permanent barrier against the pest in southern

Panama. American ranchers have never before had such protection from the losses and higher prices screwworm damage once caused, which also benefits the consumers they feed in the United States and around the world. In FY 2010, we took another step toward eradicating boll weevils from the United States, once the scourge of cotton farmers from Virginia to Georgia and from Louisiana to Texas. We have now eradicated this pest from 98 percent of the 16 million acres of U.S. cotton. This has truly been a result of a great partnership among the Federal Government, States, and cotton farmers. And not only will cotton farmers and consumers benefit; eradicating boll weevils has led to a dramatic reduction in pesticide use, something that will benefit the environment and all Americans.

We have continued working towards eradication of the Asian longhorned beetle (ALB) from New York, New Jersey, and Massachusetts. The ALB program helps conserve our trees in national forests, timber and syrup producing lands, and homeowners' yards. In New York, the program expects to eradicate the Islip infestation this year. Activities in Manhattan have ended except for a final confirmation survey, which will conclude in FY 2013. In FY 2010, surveys revealed just one infested tree in New York. This tree was in Brooklyn and was removed promptly.

In July 2010, APHIS and Massachusetts State officials confirmed an infestation in Boston involving six trees. The program removed the infested trees and surveyed more than 33,000 host trees within a half-mile radius of the detection. While surveys are still ongoing outside this half-mile, it appears that this outbreak was limited to those six trees. The early detection of this outbreak was the result of an extensive outreach campaign following the detection of a much

larger infestation in the Worcester area of Massachusetts in FY 2008. This early detection and immediate response limited the spread of the infestation and prevented significant damage to Boston's urban canopy. APHIS and cooperators are continuing to address the Worcester outbreak and made progress in completing delimiting surveys.

APHIS and its State and industry partners have done significant work both internationally and domestically to address the risk of avian influenza and reduce its effects on the economy and public health. APHIS' efforts internationally to assist regions affected by H5N1 highly pathogenic avian influenza have lessened our risk of disease spreading from overseas to the United States. Domestically, APHIS has worked cooperatively with State animal health officials and the poultry industry to protect against the introduction of highly pathogenic avian influenza in the United States by conducting surveillance in wild and commercial bird populations and testing emergency response capabilities.

APHIS also addressed severe grasshopper outbreaks in 10 Western states during FY 2010, protecting more than 2 million acres from damage. While grasshoppers are native to the western United States, their populations can reach outbreak levels under the right conditions and damage rangeland and forage for livestock. The 2010 outbreaks were not as widespread as initially predicted, but certain areas experienced severe problems, particularly in Montana and Wyoming. One rancher in Montana remarked that the APHIS program "not only assisted us by eliminating grasshoppers in our grazing pasture, but allowed us to be profitable in our grass crop." Another, who had to provide a \$20,000 cost share for the treatments, told the APHIS grasshopper program manager that it would have cost him \$200,000 if he had to buy hay for his cattle. Our ability to

conduct treatments prevented economic hardships for numerous ranchers last year and, by reducing reproducing grasshopper populations, will likely prevent outbreaks from occurring in FY 2011 in areas where we conducted treatments.

We continue to support our farmers and producers' ability to export their products, an important source of income for our farmers. Last fiscal year, APHIS helped resolve 108 sanitary (animal) and phytosanitary (plant) issues involving U.S. agricultural exports, including opening new markets and retaining and expanding existing market access for U.S. agricultural products valued at \$2.4 billion. These export accomplishments include opening new markets for a variety of U.S. products, such as soybean oil to China (worth \$340 million) and swine to Canada (worth \$5 million). We also retained key markets around the world for products like grain to Mexico (worth \$425 million) and pet food products to Russia (worth \$11 million). APHIS attachés successfully obtained the release of more than 300 individual shipments of U.S. agricultural products worth more than \$48 million. Examples of these shipments include apples to Mexico worth \$200,000, pet food to Taiwan worth \$434,000, almonds to Turkey worth \$978,000, among others.

Our FY 2012 budget request reflects USDA's priorities and our review of programs where, even in the current budget climate, we have a need to focus our support on targeted investments that are critical to long-term economic growth and job creation. The total request is \$837.4 million, which is a net decrease of \$72 million from the FY 2011 Budget.

In accordance with the Secretary's priority to expand opportunities to develop and trade safe biotechnology-derived products, we are requesting an increase of \$12.072 million for our Biotechnology Regulatory Services program (for a total funding level of \$25.135 million), which uses a science-based regulatory framework to allow for the safe development and use of genetically engineered (GE) organisms. APHIS has evaluated and granted non-regulated status to 81 GE organisms, allowing seed companies to commercialize them and give American farmers a variety of choices in what types of crops to plant. However, the rapid adoption and broad use of agricultural biotechnology has brought on a tremendous growth in APHIS' workload, slowing down the Agency's ability to keep pace with petitions for deregulation and new developments in the industry. This increase will support the development of robust risk and environmental analyses, expand the program's compliance oversight, and improve policy development related to coexistence between GE, conventional, and organic sectors.

The United States is the leader in the international agriculture community and must act accordingly as situations arise. In this regard, APHIS is poised to focus on capacity building efforts abroad to ensure our current and potential trading partners have secure agricultural regulatory systems that mirror the strength of the U.S. system. We are requesting an increase of \$600,000 in our Overseas Technical and Trade Operations Program (for a total of \$20.776 million). By strengthening their regulatory capacity, these countries will be better able to detect and address pests and diseases in their own regions and prevent them from spreading elsewhere. These efforts will help countries produce safe and affordable food, curbing hunger worldwide, as well as reducing the likelihood that unsafe products may be exported to the United States.

In another effort to show leadership in the world community and help prevent illegal logging on an international scale, Congress amended the Lacey Act through the 2008 Farm Bill to make it illegal to import plants taken or traded in violation of domestic or international laws. We are requesting an increase of \$1.5 million to enhance our ability to implement these new provisions of the Lacey Act (for a total of \$1.5 million), through the hiring of dedicated staff and the development of a web-based system to collect required import declarations.

To protect our trees in national forests, timber and syrup-producing lands, and homeowners' yards, we are requesting an increase of \$11.97 million for the Asian Longhorned Beetle (ALB) program (for a total of \$44.491 million). While we made progress in FY 2010 in delimiting the Worcester outbreak in Massachusetts, we need additional resources to handle this outbreak, which is the closest the ALB has come to New England's valuable hardwood forests, while ensuring that we can finish the job in New York and New Jersey. The forests in Massachusetts alone provide \$3 billion worth of ecosystem services (such as storm water mitigation, climate change mitigation, soil retention, protection of fresh water supply, and aesthetics) annually. The annual contribution of forest-based manufacturing and forest-related tourism and recreation to the economies of New York and New England is \$19.5 billion.

Our nation's specialty crops farmers play a key role in providing healthy and nutritious food for Americans, especially our children. To support USDA's goal of ensuring that all of America's children have access to safe, nutritious, and balanced meals, APHIS conducts a variety of programs aimed at controlling damaging pests and diseases that attack fruit and vegetable crops. We are requesting increases to ensure that we can deal with two of these pests effectively: \$2.5



million for the European Grapevine Moth (EGVM) program (for a total of \$2.5 million) and \$10 million for the Light Brown Apple Moth (LBAM) program (for a total of \$11.008 million).

Working with our partners in California and using emergency funding, we have contained the damage caused by these two pests, and we are requesting increases to sustain these programs and protect the progress we've made thus far. We acknowledged the concerns California residents had over the initial plan to eradicate LBAM and took the lessons to heart as we developed our EGVM program, which relies on affected growers to control the pest in their fields. As the EGVM program enters its second year, we are committed to reaching out to all who will be affected and gaining their support. With this increase, as well as the FY 2011 emergency CCC transfer, we will continue regulatory activities for the pest within our annual appropriations.

With the financial support of this Committee, we are very proud to be in the new National Centers for Animal Health (NCAH) facilities. Our National Veterinary Services Laboratories provide rapid diagnostic services in these state-of-the-art laboratory facilities. Rapid diagnosis is crucial to determine whether a suspect sample does indeed represent a new disease occurrence, so we can take immediate action when necessary, or if disease is not present, so we can reassure nervous markets. To ensure that the important diagnostic work remains fully funded, we are requesting an increase of \$3.843 million for increased recurring utility and other basic facility operating costs in the new NCAH (for a total funding level of \$33.211 million).

Like rapid diagnostics, the rapid identification of an outbreak and the ability to trace its spread through diseased and exposed animals is crucial to our emergency preparedness efforts. As I mentioned earlier, we have made great progress toward developing a new framework for animal

disease traceability that addresses the concerns of a wide variety of stakeholders and those of Congress. We are requesting an increase of \$8.85 million (for a total of \$14.15 million) to maintain the current level of infrastructure and to continue the progress the program has made thus far. Implementing the traceability system will enable U.S. animal product exports to remain competitive in the global market place as trade requirements increasingly demand such a system. It will also help ranchers and farmers who do not export by limiting the cost, scope, and duration of quarantine restrictions when outbreaks occur.

In addition to agricultural animal and plant health efforts, APHIS is mindful of and continues to focus on our animal welfare responsibilities. We are requesting increases of \$6.608 million for the Animal Welfare program (for a total of \$28.587 million) and \$3.292 million for the Animal and Plant Health Regulatory Enforcement program (for a total of \$17.275 million) to enhance inspection and enforcement activities related to dog dealers who have committed repeat and serious violations. These increases will allow APHIS to address the audit on dog dealers conducted by USDA's Office of Inspector General and implement the Animal Welfare Enforcement Plan developed in response to the audit findings. We are also requesting an increase of \$391,000 for the Horse Protection program (for a total of \$891,000). This increase supports our ability to increase the number of horse shows our inspectors can attend, which we must do to move closer to the goal of eliminating the cruel practice of soring in the show horse industry.

While working to fulfill our mission of protecting the health and value of U.S. agriculture, we cannot forget our responsibility to protect our own employees during the course of their

workday. Our Wildlife Services employees engage in activities while carrying out their duties using equipment and materials that pose some inherent safety hazards. Accidents involving aviation, firearms, pyrotechnics, and water in 2006 and 2007 highlighted the need for the Agency to reassess safety policy and procedures, and we conducted a nationwide safety review with the help of outside experts. Our budget includes an increase for the Wildlife Services Safety Program, an initiative to implement a formal, nation-wide safety program and ensure a safer environment for our employees. We are requesting an increase of \$1.362 million and a redirection of \$638,000 from other program activities (for a total funding level of \$2 million) to implement recommendations from the safety review.

Although APHIS is proposing several substantial increases in FY 2012, we are offsetting these with reductions. It is clear in the current budget climate that we have to make some tough choices and propose responsible reductions. Our FY 2012 budget proposes to eliminate or reduce funding for a variety of programs where we've determined that we cannot be successful; eliminates funding for earmarks; increases, where appropriate, the levels of State cost-sharing; and reduces funding for programs where success makes such reductions appropriate. For example, the success we have achieved in our screwworm, cotton pests, and avian influenza programs allows for a combined reduction of nearly \$34 million.

Additionally, our FY 2012 budget request is submitted for the Committee's review in a new, more flexible structure. APHIS currently receives its funding through 45 individual items. Many of these items are associated with a specific animal or plant pest or disease, which restricts the Agency's ability to adjust rapidly or efficiently to new or emerging situations. The rapid

speed of commerce and globally connected markets require increased flexibility in Federally-coordinated responses to new agricultural threats. Changing to a commodity-based structure (such as cattle, and trees and wood) for many programs would: (1) improve APHIS' ability to address new and emerging issues quickly, and (2) allow the Agency to maximize its use of existing resources by focusing resources within similar programs to address the most significant problems and achieve the most significant results. It also would provide a more transparent, comprehensible arrangement of programs now in 29 line items whose consolidation would result in improved business practices and overall long-term savings - a priority for our Nation.

APHIS' mission of safeguarding United States agriculture is becoming ever more critical. Healthy plants and livestock provide abundant and affordable food for all Americans, increase our market potential internationally, and thus contribute to a healthy U. S. economy. On behalf of APHIS, I appreciate all of your support and look forward to a continued, productive working relationship in the future. I would be glad to answer any questions you may have.

AGRICULTURAL MARKETING SERVICE

Statement of Rayne Pegg, Administrator  
before the Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration, and Related Agencies

Mr. Chairman and Members of the Subcommittee, I am pleased to have this opportunity to present the fiscal year 2012 budget request on behalf of the Agricultural Marketing Service (AMS). Through a broad array of programs that help agricultural marketing function effectively, AMS programs primarily support two USDA strategic goals—we assist rural communities to create prosperity so they are self-sustaining, repopulating, and economically thriving; and we help to ensure that all of America’s children have access to safe, nutritious, and balanced meals. This budget request is designed to advance these goals. But before I describe our budget proposals, I would like to briefly highlight our mission, partnerships, and some recent accomplishments.

AMS MISSION

AMS’ mission is to facilitate the competitive and efficient marketing of agricultural products. Under the authority of more than 50 statutes, we accomplish this mission through partnerships with state agricultural agencies, local and Tribal governments, other Federal agencies within and outside of USDA, and with agricultural producers and others along the marketing chain.

AMS marketing programs work to improve the movement of agricultural commodities from the producer to the consumer. We analyze marketing methods and transportation situations, provide information to the agricultural industry and policy makers, and administer grants to improve farmers markets and other regional marketing and market facilities, as well as

grants that support the marketing of fruit, vegetables, and other specialty crops. AMS also oversees the activities of agricultural commodity groups that have established legislatively-authorized “self-funded” promotion and research programs to ensure that they stay within Federal guidelines.

Other AMS programs help facilitate fair trading by monitoring and enforcing labeling where buyers depend on accuracy—on country of origin for a large number of commodities, on organically-produced agricultural products, and on seed in interstate commerce. Our Perishable Agricultural Commodity Act Program assists the produce industry with financial recourse. And, at the request of interested parties, our grading and audit verification programs certify and document agricultural commodities by grade, marketing claim, or contractual requirements.

AMS programs that support government-wide efforts to improve food security and children’s nutrition in the U.S. do so by periodically reviewing shell egg handling; generating data on pesticide residues in water and foods, and on microbial levels in produce; and providing quality products through our purchases of foods that are distributed through the Food and Nutrition Service’s (FNS) nutrition assistance programs.

#### FY 2010 ACCOMPLISHMENTS

I want to highlight a number of fiscal year 2010 accomplishments, especially in our Market News, Transportation and Market Development, National Organic, Country of Origin Labeling, Pesticide and Microbiological Data, Marketing Agreements and Orders, and Commodity Purchase programs.

Market News – Market News information assists agricultural producers and marketers to make critical daily decisions, enhancing competitiveness and helping to increase the efficiency of agricultural marketing systems. AMS' Market News program collects, analyzes, and disseminates current market information—including supply, movement, contractual agreements,

inventories, and prices—on cotton, dairy products, eggs, produce, poultry, meat, livestock, and grains. During 2010, we made a number of improvements in information access for our customers.

In January 2010, we launched a new Mobile Report subscription service for customers to receive condensed highlights from some of our most utilized reports via text messaging on their cellular phone or mobile device. We also improved customer access to historical retail market information through the Market News Portal. The addition of retail data to the Portal has been requested by many buyers, sellers, retailers, researchers, and consumers.

In July 2010, we launched a Cattle Dashboard to improve the presentation of livestock market information collected under the Mandatory Price Reporting Act. The Cattle Dashboard is a data visualization tool designed to allow users to see weekly volume and price information on direct slaughter cattle presented in interactive graphs and tables that can be customized for viewing and downloaded for use.

The Mandatory Price Reporting Act of 2010 provided additional direction for our Market News program by reauthorizing livestock mandatory reporting for five years, directing the Secretary to engage in negotiated rulemaking on mandatory wholesale pork reporting, and requiring implementation of an electronic reporting system for mandatory dairy product information reporting.

AMS expanded organic market reporting with funds provided in the 2008 Farm Bill in response to a growing market need for price information. In 2010, we reported daily prices on more than 235 organic products, added an Organic Dairy Report, and published the first *Annual Organic Cotton Market Report*. Additional modifications made to the database and portal in 2010 will allow customers easier access to organic market data by early in 2011.

Transportation and Market Development – AMS works to improve distribution of U.S. agricultural products by conducting studies and providing technical assistance to the industry on transportation issues and marketing improvements, alternatives, and opportunities.

Agriculture is the largest user of freight transportation in the U.S.—AMS serves as the advocate for the agricultural industry on transportation issues. In 2010, AMS completed a comprehensive *Study of Rural Transportation Issues*. This major report on agricultural transportation in the United States, the first ever of this magnitude, was delivered to Congress in April 2010. As required by the 2008 Farm Bill, the study analyzed the movement of agricultural products, domestically produced renewable fuels, and domestically produced resources for the production of electricity for rural areas of the U.S., and economic development in those areas. The report examines major issues facing agricultural transportation, including deregulation of the rail industry, funding for inland waterways and highways, availability of ocean containers and vessel capacity, and infrastructure for biofuel transportation.

Also during 2010, AMS completed separate reports on the importance of the waterway system to agriculture, tools on bioenergy and biofuels, plus a number of reports and projects that support agricultural exports such as the Marine Container Availability Pilot Project. To facilitate discussion of rail, truck, and ocean transportation issues, we held agricultural shipper workshops for U.S. exporters in five cities across the country—Minneapolis, Seattle, Modesto, Boise, and Atlanta.

Our market development activities for fiscal year 2010 included projects and studies on farmers markets and other direct marketing, and on facilities design. The updated *2010 USDA National Farmers Market Directory*, available on the USDA website, now lists more than 6,100 farmers markets operating in the U.S., up 16 percent from 2009, and includes new mapping



features useful to application designers, programmers, researchers, and others to access and use the Directory's rich data set in new ways. As an example, a CNN series on healthy eating that aired in September included a feature segment using the new features and incentives for visiting farmers markets via the geo-locating mobile application Foursquare. To make it easier for market managers to include their markets in the Directory, we established a new electronic submission system. We also conducted and published other farmers market and direct marketing studies such as *Low and Mixed-Income Farmers Markets*, and *Impacts of Consumer Demographics on Target Marketing Effectiveness at Farmers Market*. To support small and mid-sized farmers, we conducted a *National Study of Small-Scale Direct Distribution Models* which will result in a "best practices and lessons learned" resource guide.

AMS provided technical assistance on facilities design projects in Santa Fe, New Mexico; Chester and Charleston, South Carolina; Selma, Alabama; and Dallas, Texas; as well as projects of nationwide interest. To capitalize on these efforts, we conduct numerous outreach and educational exchanges with constituents and project partners on program resources, technical assistance, and research findings. In addition, we lead activities on regional food hubs that can support USDA's Know Your Farmer, Know Your Food activities.

Our Transportation and Market Development Program administers the Farm Bill-funded Farmers Market Promotion Program (FMPP), which provides grants to eligible entities to establish, improve and expand farmers markets and other direct producer to consumer market strategies. In fiscal year 2010, FMPP funded 81 projects in 35 States, including 27 new electronic benefits transfer projects. AMS program personnel provided technical assistance and engaged with constituents at grant-writing workshops and conferences across the country.

National Organic Program (NOP) - AMS' National Organic Program develops, implements, and enforces national standards governing the production, handling and labeling of agricultural products sold as organic. NOP accredits certifying agents--private businesses, organizations, and state agencies--who are then authorized to certify producers and handlers of agricultural products according to NOP regulations. NOP also evaluates and establishes agreements with foreign governments, and works with the National Organic Standards Board.

NOP published the long-awaited access to pasture rule in February, 2010. This rule establishes enforceable pasture practice standards to satisfy consumer expectations by clarifying feed and living conditions for livestock production that qualifies their milk and meat for USDA organic certification.

In March 2010, USDA's Office of Inspector General published an audit report on NOP which recommended that the program improve oversight of certifying agents and operations and streamline enforcement procedures. In response to the audit, USDA has reached agreement on all recommendations and has taken action on all but one of the fourteen recommendations. NOP streamlined internal programs and procedures and strengthened Federal oversight and enforcement. To align the program's accreditation program with international requirements outlined in ISO 17011, NOP developed a quality management system and a Quality Manual, and initiated a peer review process to have NOP's accreditation program assessed by the National Institute of Standards and Technology for compliance with that international standard.

NOP developed guidance documents and training to improve consistency and uniformity in the application of NOP standards. NOP published a Program Handbook in September, 2010, that provides guidance to organic producers, managers, and certifiers in complying with the National Organic Program (NOP) regulations. The Handbook includes interpretations of NOP

statutory or regulatory requirements; instructions for certifying agents and certified operations about best practices for conducting business related to certification, accreditation, international activities, and compliance and enforcement; and formal communication to public audiences on existing NOP policy regarding a specific regulatory requirement. The program intends to expand the Handbook over time by issuing draft guidance on additional topics, soliciting public comment, and finalizing new guidance for inclusion in the Handbook. In October, 2010, NOP issued draft guidance documents that address recommendations issued by the OIG, including compost and vermicompost in organic crop production, wild crop harvesting, outdoor access for organic poultry, commingling and contamination prevention in organic production and handling, and use of chlorine materials in organic production and handling. NOP developed new training seminars on liquid fertilizers, access to pasture, adverse action procedures, labeling, certification, complaint handling, wine labeling, and enforcement procedures, and provided training in five states and two countries. A new complaint database will improve tracking and handling of complaints to ensure they are addressed in an effective and timely manner. These activities should help to assure consumers that organic products consistently meet Federal standards and regulations.

Recognition agreements allow foreign governments to accredit agents in their country to certify organic products to the NOP standards, reducing the NOP resources needed to ensure compliance of products from these countries. During 2010, the program conducted on-site reviews of recognition agreements currently in place with the governments of Denmark and Israel.

NOP equivalence agreements and export arrangements facilitate exports of organic products. NOP has an equivalence agreement with Canada so that products produced and

certified to either country's organic standards may be sold as organic in both countries (provided specific requirements are met), and export arrangements with Japan and Taiwan.

Country of Origin Labeling (COOL) – Labeling on all commodities covered by the Country of Origin Labeling Act became mandatory for retailers on September 30, 2008, and the final rule took effect in March 2009. AMS is responsible for the regulations, training, formal complaint actions, retail reviews, supply chain audits, and developing educational materials for COOL requirements. In-store retail surveillance reviews are conducted by approximately 500 certified state employees under cooperative agreements with AMS. During FY 2010, we conducted 8,363 retail reviews and audited 200 products through the chain of commerce.

To facilitate the collection and analysis of all the information collected during reviews and audits, we initiated development of an automated database system for use by State and Federal employees. The database is scheduled for completion by the end of 2011.

Pesticide and Microbiological Data Collection - AMS collaborates with the Environmental Protection Agency (EPA) and the Food and Drug Administration (FDA) to gather accurate data on pesticide residue in foods and microbial levels in produce. The Pesticide Data Program (PDP) generates, reports, and maintains a national database on pesticide residues in the food supply, with an emphasis on foods highly consumed by infants and children. Cooperating State agencies (and other Federal agencies) collect and test samples of fresh and processed fruits and vegetables, grains, nuts, meat, poultry, fish, dairy products, honey, and water.

In 2010, the program added four new commodities—cabbage, cilantro, eggs, and mangoes—and reintroduced previously tested commodities to determine if there were measurable changes in the residue profile. In total, the program tested about 12,800 samples

from 27 different commodities and water—including fruit and vegetable crops, catfish, and eggs—for more than 400 pesticides and their metabolic products.

The Microbiological Data Program (MDP) tests samples of domestic and imported fresh fruits and vegetables to monitor for microbial contamination and foodborne pathogens frequently associated with foodborne illness (e.g., *Salmonella* and *E. coli*). MDP's continuous produce monitoring helps to identify trends which inform USDA, FDA, and CDC efforts. MDP consults with FDA and CDC to identify the commodities and pathogens to test, and shares the data with those agencies on a regular basis. During 2010, MDP notified FDA/CDC of *Salmonella* positive detections in fresh produce samples that resulted in FDA action (trace-back, compliance, or recall) on at least seven occasions. MDP has been working to tighten microbiological sampling and testing requirements/protocols so that the information collected can be used to help address food safety concerns. New procedures are designed to improve communication among responsible Federal and State agencies and shorten response time. MDP data is loaded into CDC's PulseNet database for use in outbreak investigations and cooperating MDP laboratories are members of FDA's Food Emergency Response Network (FERN). Prompt action by MDP helps to reduce the scope of outbreaks and limits the economic impact on growers.

National Marketing Agreement for Leafy Greens - In 2010, AMS reviewed more than 5,000 pages of evidence conveyed in a series of hearings held in seven cities during 2009 on a proposed national marketing agreement for leafy green vegetables. AMS provides regulatory oversight for Federally-authorized self-help programs that are proposed, conducted, and funded by agricultural producer groups to address a range of marketing issues. The marketing agreement proposal was submitted in June 2009 by a nationwide coalition of U.S. produce industry representatives as a voluntary response to recent foodborne illness outbreaks. The

marketing agreement is intended to help minimize the risk of food-borne contamination in cabbage, lettuce, spinach, and other vegetables defined as “leafy greens.” If warranted, USDA will issue a proposed marketing agreement which will be subject to an additional period of public comment.

Commodity Purchase Management System – AMS purchases food commodities that are distributed through FNS’ nutrition assistance programs. In December 2010, USDA completed development of the Web-Based Supply Chain Management System (WebSCM) and began transferring operations into the new system which is vital to mission delivery. Five Federal agencies (AMS, FSA, FNS, FAS, and USAID) use this system to track procurement, delivery, and management of 4.5 million tons of food—more than 200 commodities—purchased by USDA and distributed through FNS’ child nutrition and other USDA food assistance programs. Deployment of the new system began in June 2010 and will continue during 2011 in a phased-in implementation to minimize the risk inherent in system conversion. The final phase of functionality will be deployed April 1, 2011.

#### FY 2012 BUDGET PROPOSALS

Our fiscal year 2012 budget trims program costs where feasible and focuses resources where they are needed to support USDA priorities. For fiscal year 2012, AMS requests a total of \$95.6 million for Marketing Services, which includes cost savings in our Market News and Country of Origin Labeling programs. We are also requesting a total of \$2.6 million in matching grant funds for the Federal-State Marketing Improvement Program (FSMIP).

The budget request includes \$33.5 million for Market News, a net decrease of \$700 thousand, which will be accomplished by implementing efficiencies in fiscal year 2012 such as field office and report consolidations. This funding level, added to the remaining 2008 Farm Bill funds, will enable the program to continue expanded reporting of organic production

and distribution markets through fiscal year 2012. In addition, the program will continue negotiated rulemaking to expand mandatory price reporting to include wholesale pork cuts and developing the capability to implement electronic dairy mandatory reporting based on the livestock reporting system.

The Country of Origin Labeling program budget of \$9.6 million will continue to support Federal program activities and retail reviews by State cooperators. The budget savings of \$1.1 million in the COOL program reflects a decreased information technology investment due to expected completion during fiscal year 2011 of the automated data management system.

The Marketing Services budget request includes additional resources to support regional economies through the National Organic Program and the Transportation and Market Development Program.

Increasing the National Organic Program budget by \$2.9 million, to \$9.9 million, will accelerate the review and development of NOP regulations and increase enforcement to improve compliance with labeling regulations to better meet industry and consumer expectations. This resource level will also enable the program to respond to requests for international equivalency agreements, supporting domestic producers and facilitating exports of agricultural products.

The requested budget level will enable NOP to address rulemaking recommended by the National Organic Standards Board for at least six new areas of organic production, the remaining regulatory concerns identified in the 2010 OIG audit report, and petitions from organic farmers and handlers for inclusion of materials on (or removal from) the National List of Allowed and Prohibited Substances, which require technical reviews. NOP will be able to investigate and address complaints of noncompliance (which have increased with production volume) within a reasonable amount of time by reducing the backlog of complaints by 20 percent per year,

develop a centralized and uniform electronic reporting database that will provide more timely information on certification activity in the organic industry, and conduct the detailed program comparisons required before equivalency agreement negotiations can begin with the seven governments that have expressed interest.

For AMS' Transportation and Market Development Program, we request a funding level of \$7.7 million, a \$1.9 million increase. This is an ideal time for agricultural producers to capitalize on an increasing demand by consumers for access to locally-grown products. Sales to consumers, restaurants, schools, and other institutional outlets through direct marketing channels such as farmers markets and community supported agriculture (CSA) operations offer a substantial improvement in farm income. Additional resources will enable AMS to develop new program activities that specifically focus on outlets for local and regional products such as regional food hubs, new types of CSAs and buying clubs, and existing markets as aggregation/distribution points for food deliveries to local institutions. These initiatives, added to ongoing program efforts, will help to create jobs and meet increased demand for access to locally grown produce by strengthening the critical connection between farmers and consumers. To address related transportation issues, AMS will work with academic research institutions to conduct case studies on regional transportation options to assist producers with accessing local food markets by providing a better understanding of regional transportation pricing and service options.

The Federal-State Marketing Improvement Program (FSMIP) will also help to accomplish local and regional market initiatives. The Payments to States and Possessions request for \$2.6 million, a \$1.3 million increase, will allow AMS to focus FSMIP grant funds on local and regional food marketing initiatives that are of practical use to the agricultural industry.



FSMIP offers competitive matching grants to State Departments of Agriculture or similar State agencies that encourage research and innovation; improve agricultural marketing efficiency; and develop more efficient post-harvest and packaging methods, electronic marketing, and product diversification. FSMIP puts resources directly into rural communities nationwide, which stimulates rural economies. These projects often serve as catalysts for new initiatives that improve farm income and consumer welfare.

To help to ensure that America's children have access to safe, nutritious, and balanced meals, the Marketing Services budget request includes \$16.6 million for the Pesticide Data Program, a \$1.2 million increase, and \$5 million for the Microbiological Data Program, a \$250 thousand increase. At this resource level the Pesticide Data Program will be able to fund continued participation by current cooperating States (California, Colorado, Florida, Maryland, Michigan, Minnesota, Montana, New York, North Carolina, Ohio, Texas, Washington, and Wisconsin) and maintain effective levels of food and drinking water testing. As State cooperator costs have increased over the past five years, both the program and its cooperating agencies have significantly streamlined operations. Despite cost reduction efforts, the program has had to reduce sampling and testing targets and/or delay replacement and upgrades to laboratory equipment essential to continued successful program delivery. The Pesticide Data program generates comprehensive, statistically reliable information on pesticide residues in foods to improve the Government's ability to protect human health from pesticide risk. It is crucial that the program meet its sampling and testing goals, especially since PDP concentrates its efforts in providing better pesticide residue data on foods most consumed by children.

The Microbiological Data Program request includes an increase of \$250 thousand to cover the cost of sampling eight produce commodities by the State of Arizona. Sampling in

Arizona allows the program to capture a larger number of imports through Mexico, which rise in the winter months. By expanding the range of sampling sources and number of produce items sampled, we can increase the chance of early identification of foodborne pathogens.

AMS Section 32 activities support both rural economic and children's nutrition goals. The Section 32 administrative budget proposal includes an increase of \$882 thousand in Commodity Purchase Service administrative authority from Section 32 resources to fund AMS participation in the Food and Nutrition Service's Farm to School Team. FNS identified AMS as a partner in its efforts to link local and regionally-grown foods to school food assistance programs because AMS can bring its marketing expertise to farm to school activities. FNS has connections to the schools; AMS to agricultural producers. The team will bring together stakeholders and agency partners to explore possible purchases, share best practices, and provide technical advice and assistance.

#### CONCLUSION

By facilitating a competitive and efficient market for agricultural products, our programs play a significant role in the ability of agricultural producers, processors, handlers, shippers, and sellers to conduct business efficiently and effectively. Thank you for this opportunity to present our budget proposal.

GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

Statement of J. Dudley Butler, Administrator  
Before the Subcommittee on Agriculture, Rural Development,  
Food and Drug Administration, and Related Agencies

Introduction

Mr. Chairman and Members of the Subcommittee, I am pleased to share with you the accomplishments of the Grain Inspection, Packers and Stockyards Administration (GIPSA), and to discuss the Agency's fiscal year (FY) 2012 budget proposal.

GIPSA plays an integral role in ensuring the economic viability of America's farmers, and, in turn, of rural America. GIPSA's programs directly and significantly impact three key sectors of American agriculture – the livestock, poultry, and grain markets. Our work ensures fair-trade practices and financial integrity for competitive markets, and promotes equitable and efficient marketing across the nation and around the world.

Our two programs are the Packers and Stockyards Program (P&SP) and the Federal Grain Inspection Service (FGIS). P&SP protects fair trade practices, financial integrity, and competitive markets for livestock, meat, and poultry. FGIS facilitates the marketing of U.S. grains, oilseeds, and related agricultural products by providing the market with terms and methods for quality assessments, maintaining the integrity of the grain marketing system, and providing for the national grain inspection and weighing system.

GIPSA comprises approximately 769 full-time, part-time, and intermittent employees. P&SP includes a headquarters unit in Washington, D.C.; three front-line regional offices in Atlanta, Georgia; Denver, Colorado; and Des Moines, Iowa; and a cadre of resident agents that are our eyes, ears, and compliance and regulatory presence on the ground. The grain inspection

program has a headquarters unit in Washington, DC; the National Grain Center in Kansas City, Missouri; and 7 field offices and 1 Federal/State office across the country. These field offices are located in Cedar Rapids, Iowa; Grand Forks, North Dakota; League City, Texas; New Orleans, Louisiana; Portland, Oregon; Stuttgart, Arkansas; and Toledo, Ohio; and the Federal/State office is located in Olympia, Washington. FGIS delivers official inspection and weighing services via the national inspection system, a unique public-private partnership comprised of Federal, State, and private inspection personnel. Our partners include 56 State and private agencies authorized by GIPSA to provide official inspection and weighing services on our behalf.

#### Packers and Stockyards Program

GIPSA's P&SP regulates businesses that market livestock, poultry, and meat under the Packers and Stockyards (P&S) Act. The P&S Act was promulgated in 1921 to promote fair and competitive marketing in livestock, meat, and poultry for the benefit of consumers and American agriculture. Under the P&S Act, P&SP fosters fair competition, provides payment protection, and guards against deceptive and fraudulent trade practices in the livestock, meat, and poultry markets. By protecting fair-trade practices and ensuring financial integrity for competitive markets, GIPSA helps protect swine contractors, livestock producers and poultry growers, and promotes transparency and fairness for all market participants.

GIPSA ensures industry compliance with the P&S Act through preventative regulatory actions, investigations, and enforcement actions. In FY 2010, GIPSA closed 1,854 investigations that were opened in 2010 and prior years. During the fiscal year, GIPSA also imposed \$127,787 in stipulations, \$341,027 in administrative penalties, and \$347,705 in civil penalties through the Department of Justice.

As a result of our efforts, GIPSA maintained its key performance measure of industry compliance with the P&S Act at 80 percent in 2010, sustaining a continued improvement over 2007's 75 percent compliance rate. This level of compliance was achieved despite the significant financial downturn that affected all market segments. Our efficiency, as measured by the average number of days to complete an investigation, was 98 days in 2010, 16 days less than 2009 and 41 percent below the 165-day average of 2006, which preceded GIPSA's Business Process Reengineering initiative.

GIPSA also is making significant improvements in its operational effectiveness. In FY 2009, GIPSA fully implemented its new enterprise-wide automated system that integrates information management, automated tracking and monitoring capabilities, and extensive reporting functions related to P&SP's core business practices. The new system allows P&SP to electronically conduct, document, and track investigations from beginning to end. GIPSA deployed system enhancements in FY 2010, including updated standard operating procedures and an automation workflow. Overall, the system allows GIPSA to operate more efficiently and strengthens the Agency's ability to track major case milestones.

To foster operational consistency across P&SP, in FY 2009, GIPSA launched a new online repository of all official policy, procedural, and instructional resources. In 2010, GIPSA extensively expanded and enhanced this resource to ensure that all P&SP employees work under standardized operating procedures and processes. The system also includes a component that fosters employee participation in determining the program's direction and decision making.

Our ability to carry out our mission depends upon the expertise and professionalism of our staff. GIPSA staff includes highly skilled individuals with varied expertise, including economists, investigative attorneys, legal specialists, auditors, and investigators. Finally, GIPSA

is ensuring that its cadre of resident agents, who provide our front-line presence in the industry, has required skills, is staffed at an appropriate level, and is strategically deployed to ensure achievement of our mission.

GIPSA releases timely and relevant information to agricultural media outlets. As part of this outreach effort, GIPSA held training conferences on carcass evaluation on proper weighing procedures for monorail scales for State and industry personnel.

In carrying out our work, GIPSA works cooperatively with our sister agencies within USDA, and particularly with the Economic Research Service, Office of the Chief Economist, National Agricultural Statistics Service, Agricultural Marketing Service, and Food Safety and Inspection Service. We also regularly collaborate with the Department of Justice, Commodity Futures Trading Commission, and other State and local law enforcement agencies with their investigations.

GIPSA maintains a toll-free hotline (800-998-3447) to receive complaints and other communications from livestock producers, poultry growers, and other members of the industry or general public. The hotline allows callers to voice their concerns or file a complaint anonymously. GIPSA responds to all received calls.

#### Federal Grain Inspection Service

GIPSA's grain inspection program facilitates the marketing of U.S. grain, oilseeds, and related agricultural products by providing the market with the official U.S. grading standards, as well as methods to assess product quality; maintaining the integrity of the marketing system by enforcing the U.S. Grain Standards Act (USGSA) and the Agricultural Marketing Act of 1946 (AMA); and providing for America's national inspection system, a network of third-party

Federal, State, and private laboratories that provide impartial, user-fee funded official inspection and weighing services under the authority of the USGSA and the AMA. In 2010, the national inspection system provided more than 3.4 million inspections on over 300 million metric tons of grain. A testament to GIPSA's commitment to providing outstanding service to all segments of the grain industry is the grain market's usage of our terms, methods, and services to buy and sell \$64 billion of commodities annually.

GIPSA's grading standards help buyers and sellers efficiently identify the quality of grain and grain products and provide a common language for trade. To ensure that they remain germane, GIPSA regularly reviews the standards and seeks public input on their relevance. In 2010, GIPSA began its continuing review of the U.S. standards for wheat and testing methods to enhance the marketability of U.S. wheat by accurately differentiating the ability of wheat to meet specific end-use needs. GIPSA, in collaboration with the wheat industry, is pursuing two major avenues to address the need for improved wheat functionality measurements. GIPSA is working to standardize Farinograph testing, the most popular method for measuring how flour dough will behave during processing, and provide a rapid test of gluten viscoelastic properties to predict how wheat will function as flour in baking or other final processing.

To better serve the dynamic grain marketing system, GIPSA remains attuned to changes in movement of U.S. grain and related products. The shipping of U.S. grain exports in containers has increased significantly over the last few years and, as a result, official inspections of containerized grain increased from 0.7 percent of total grain officially inspected at export locations in 2005 to 2.6 percent in 2010. The number of container loading facilities in the United States has grown from 8 in 2002 to more than 140 in 2010. GIPSA has made procedural changes to facilitate this evolving marketing method and, in 2010, initiated a comprehensive review of

the policies and procedures governing official inspection and weighing services for grain exported in containers and is considering regulatory changes.

GIPSA continues to work with exporters, importers, and other end-users of U.S. grain around the globe to facilitate the marketing of U.S. grain in global markets. GIPSA helps resolve grain quality and weight discrepancies, helps other countries develop domestic grain and commodity standards and marketing infrastructures, assists importers in developing quality specifications, and, to harmonize international trade, trains foreign inspectors in U.S. inspection methods and procedures. In FY 2010, a GIPSA employee was stationed in Asia to work with industry partners to provide technical assistance and training, address grain quality issues, and continue our outreach activities in the region. In addition, in FY 2010 a GIPSA representative led a U.S. delegation that included representatives from the Foreign Agricultural Service, Animal and Plant Health Inspection Service, and the Food and Drug Administration, to China to negotiate language for a non-binding Memorandum of Understanding (MOU) to address China's concerns over soybean quality, plant health, and food safety. The draft MOU, which includes key provisions that establishes a bilateral technical working group, and an agreement for a U.S. rapid response team to be sent to China to investigate problem shipments when warranted, has since been signed by both countries. GIPSA's Asian outreach program addresses immediate and long-term issues in the region, promotes a better understanding and adoption of U.S. sampling and inspection methods to minimize differences in results, and develops face-to-face relationships with foreign customers that facilitate and harmonize trade with this critically important market.

In addition, GIPSA works with global partners to develop scientifically sound methods for identifying biotechnology-derived grains. GIPSA's Biotechnology Proficiency Program,



initiated in 2002, enables organizations to improve their accuracy in identifying transgenic events for grain. Today, 160 organizations—over 80 percent of which are located outside the United States—participate in the program. In recognition of GIPSA's expertise with agricultural biotechnology testing, the U.S. rice industry has asked GIPSA's to implement a rice proficiency testing program to verify capabilities of testing laboratories.

Information technology solutions also help GIPSA more efficiently serve the marketplace. In 2010, GIPSA completed a multi-year project to replace stand-alone applications with an integrated web-based suite of applications that automates our core business practices. The new system automatically generates official inspection and weighing certificates and provides almost instantaneous record access.

Our continued success in fulfilling our mission of facilitating the marketing of U.S. grain is directly attributable to our exceptionally skilled, experienced, and dedicated workforce. Our staff, however, is aging, as many started with FGIS upon its inception in 1976. Seventy percent of our mission-critical grain graders are eligible for retirement within the next 5 years. It takes 2 to 3 years to develop a competent grain journeyman grader within FGIS through internal development programs and partnerships with various agricultural institutions. Over the past few years, FGIS has successfully used an apprenticeship program to train grain inspectors and develop their skills for successful advancement to the journeyman level. In March 2011, FGIS will initiate a 2-year internship program for new and current employees. Interns will participate in supervised training activities to develop competencies that FGIS has identified as core to our mission and goals. This internship includes rotating assignments that cover the full range of inspection work and on-the-job experience and training necessary for advancement. Upon completion of the program, interns will become agricultural commodity graders.

2012 Budget Request

To fund important initiatives and address the Agency's responsibilities, GIPSA's budget request for FY 2011 is \$44 million for salaries and expenses and \$50 million in spending authority for our Inspection and Weighing Services which would allow GIPSA to fully utilize user fees collected for Inspection and Weighing Services. The budget includes additional funding for enforcement of the Packers and Stockyards Act. In addition, we will submit a legislative proposal for user fees to recover the costs of grain standardization and P&SP activities.

We are requesting additional funding to further bolster market protections for buyers and sellers of livestock, poultry, and meat through greater compliance, investigative, and enforcement activities in the field. This increase will allow the Agency to expand investigative, regulatory, and financial review activities to raise industry compliance with the P&S Act. These activities will enhance market protections for buyers and sellers of livestock, poultry, and meat. The funding will support hundreds of additional inspection and compliance reviews per year and increase detection of P&S Act violations. In addition, GIPSA will be able to conduct onsite inspections of all regulated entities on a regular 5-year cycle, improving on the current methodology of inspecting firms based on random samples and targeting at-risk entities. GIPSA will increase routine financial reviews – solvency, custodial accounts, and prompt pay – of all regulated entities including packers.

GIPSA will submit a legislative proposal to collect fees for the development of grain standards and to amend the P&S Act to provide authority to collect license fees to cover the cost of the program. This proposal is consistent with the overall effort to shift funding for programs with identifiable beneficiaries to user fees.

Conclusion

Mr. Chairman, Members of the Subcommittee, thank you for the opportunity to share some of the accomplishments of our dedicated staff and to highlight our future plans to facilitate the marketing of U.S. agricultural products and to promote fair and competitive trading practices for the overall benefit of consumers and American agriculture.

I would be pleased to address any issues or answer any questions that you may have.

Mr. KINGSTON. Thank you, Mr. Under Secretary. Mr. Farr, do you have an opening statement?

Mr. FARR. No, sir.

Mr. KINGSTON. Okay. Then we will go ahead and start with questions.

#### BUDGET REDUCTIONS

First of all, I want to commend you on the APHIS budget. An eight percent decrease is music to, I think, everybody's ears. But I do have a question about core mission versus maybe some of the more popular programs.

Examples, have a decrease in the cattle health program of 12 percent; a 10 percent decrease in swine health; 50 percent reduction in aquatic animal health; 57 percent decrease in avian influenza; and 87 percent decrease for chronic wasting disease surveillance, but a 90 percent increase in biotech regulatory services; 170 percent increase in animal disease traceability; and 17 percent increase for animal welfare.

And it would appear that the decreases come from the core missions, and the increases come from some—there may be newer and maybe a little more crowd-pleasing in popularity.

And so, the balance between—and you know, one thing about USDA is I think the success of USDA, as an agency, is it does the dull normal, and it does the dull normal very well. And, as a result, we have a good balance and a good food supply. And so, I am concerned when we get caught in some of the other—maybe the more political whims of the day, and you know, realize an animal or dog dealers—there may be some abuses, but I still wonder why that is such a federal issue.

So, I would like you to comment on the balance between those programs and especially as respects your core mission.

Mr. AVALOS. Well, Mr. Chairman, I really appreciate that question and those comments. What we have done at APHIS, so many of these core programs that you mention, they have actually—we have been very successful. And being that we are in a very difficult budget situation, and we have had to make some really tough choices, we have really had to tighten our belt, and we have to address issues accordingly.

A lot of these programs that you mentioned, we have had very good success in controlling or eradicating. So, instead of continuing to fund those programs, we took our limited resources and put them to programs that we felt needed more attention at this time. And also to address specific concerns from audits from the Office of Inspector General, particularly on the dog dealers.

And I understand what you are saying, because before coming to Washington—you know, I am from the State of New Mexico, I am from rural America. And I did not realize that USDA dealt with dogs. It was new to me, also. But after being here, I understand that we do have the responsibility to enforce the Animal Welfare Act. And after going through an audit from the Office of Inspector General, you know, we had to make some changes. We had to implement some resources to address those concerns.

Now—

## ANIMAL WELFARE

Mr. KINGSTON. I wanted to ask you, just kind of interrupt a second. But are you familiar with a case in, I believe, Brooklyn, New York, about a woman who killed a hamster? Have you seen anything in the news about that?

Mr. AVALOS. Mr. Chairman, I have not.

Mr. KINGSTON. I don't know if anybody has seen that. A member of the Ag authorizing committee mentioned it to me, that a woman is actually, because of a local law—she apparently threw a hamster out the window, which is, of course, a horrible thing to do, but she is going to go to trial for it. And, you know, as disgusting of an act as that is, you wonder sometimes, in view of our financial issues and our unemployment issues and national security issues, is that where resources should be spent?

And so, you know, with the dog dealers thing, I am concerned about us, again, maybe doing what's politically popular and getting away from core missions.

Mr. FARR. Mr. Chairman, would you yield?

Mr. KINGSTON. Yes.

Mr. FARR. In the California legislature I carried a puppy mill bill, and I am authoring one here in Congress. The reason it is important for them to do the inspection is that people in very rural areas have been raising dogs in chicken pens like rabbits, breeding them, very high-value dogs, and then selling them at huge prices over the Internet. These dogs are not healthily bred, the mothers are not healthy, often times. And people buy dogs, they are cute, they are sweet, they spend a lot of money on them, and then they find out that they really got ripped off. And it is very hard. You know, you do not just return a puppy.

So, it is a practice that is just—it is a kind of an underground scam, and it is huge in America. And that is why we are trying to shut down—some states have adopted tough laws. I do not know about hamsters—

Mr. KINGSTON. Well, let me interrupt you one second.

Mr. FARR [continuing]. Is a serious problem.

Mr. KINGSTON. Actually, my time has expired, so we can go on your time now. [Laughter.]

Mr. KINGSTON. I was quite generous with my remaining minute. And we will discuss this more. So, Mr. Farr, you are recognized.

Mr. FARR. Well, I guess I will just continue on that. I would hope that—because you are going to spend some money on—Secretary Merrigan announced that APHIS is going to reinforce its animal welfare efforts, including tougher penalties for repeat offenders and greater consistent action to strongly enforce the law.

How are your efforts to enhance the animal welfare program going, and will the additional funding requested in this budget be enough to support those efforts?

Mr. AVALOS. Mr. Chairman, Congressman Farr, first of all, I want to state for the record that we do take enforcing the Animal Welfare Act very seriously, and we are mandated by law to enforce this, and we do take it very seriously.

And in response to the OIG audit, you know, we received recommendations from the Inspector General, and we implemented an

action plan. And the focus really is on enforcement, and it is on inspector performance. And I think, Mr. Chairman, going back to your question, I think inspector performance will have a lot to do with those kind of decisions.

But anyway, our focus on the dog situation would be to regulate Internet sales, and to regulate dogs that are imported for resale.

Having said that, I am going to ask our administrator at APHIS, Cindy Smith, to expand on my answer.

Mr. FARR. Well, I guess the question here is really just is this money going to be enough to really do the kind of crackdown—this is big business, Mr. Chairman. It is—and it is a popular bipartisan bill. And is this money going to give you the responsibility to do it?

I mean—and it is interesting. You know, this committee has seen—we regulate everything. You cannot transport chickens or pigs or cattle or horses or anything else—horses are kind of exempt, but everything else in agriculture has kind of the animal welfare interests in it. So if you are going to make money off animals, you have got to handle them in a way that is humane. This is a way of handling animals for profit in a very inhumane way. And it is just totally contrary to all the laws that we adopt for, essentially, animal husbandry and every other form of agriculture.

That is why we have got to go after these people that are just—they are doing harm to an awful lot of animals, but they are doing more harm to people that are spending a lot of money thinking they are getting a cute little expensive pure-bred puppy, and find out that it has got all kinds of congenital diseases and mental issues, and just—the big thing in berthing is spacing, and there is no spacing at all with this dog breeding program.

Mr. AVALOS. To answer your question, the funding of the budget will allow us to do our job.

Mr. FARR. Okay. That's all I need to know.

Do I still have time left?

Mr. KINGSTON. You still have two minutes.

Mr. FARR. Oh, thank you, Mr. Chairman.

#### NATIONAL ORGANIC PROGRAM

I wanted to ask you, on the organic program, as you know, you're operating on a \$7 million budget since 2010 year. And you have about 16,000 certified organic operations, which are certified as farms or processors, or retailers.

It's now a \$29 billion industry. It's supporting more than 150,000 jobs, and you're growing faster, that segment of agriculture is growing faster than any other segment.

Your budget requests another \$3 million to bring the NOP funding to \$10 million.

And I know you've cracked down on these imports, China imports, where they've falsified organic. You know, they lied about their certification process, and you were able to catch them. And that's terrific.

I mean, this goes both ways. What we send abroad requires that we do it legitimately according to the rules of certification. And what we receive from abroad has to be done according to the international protocols on certification.

With this industry growing—and I’ve seen it in California, where before—and there’s another bill that I authored in the state legislation was creating the certified program.

But what happened is as market prices went up for organic, people just started putting “organic” on everything. You could grow it in a pesticide pit and put “organic” on it, until these laws were created.

And I think the consumer, you know, it’s consumer confidence. And you’re the ultimate enforcer of that, protecting that consumer confidence.

And I want to make sure that you can do that well, because, you know, there have been people scamming the system, and they ought to be busted.

Mr. AVALOS. Congressman, I really appreciate your comments.

And Mr. Chairman, can I respond? I only have four seconds left?

Mr. KINGSTON. Without objection. You have 15 seconds. Maybe a little longer. [Laughter.]

Mr. AVALOS. I just wanted to reinforce that the organic sector is the fastest growing sector in agriculture, experiencing tremendous growth, and we’re just getting started in that sector.

And I think it’s really important, this budget increase is needed to address the increase in demand for inspections. And it’s really important to protect the integrity of the organic program and the organic label.

And also, it’s very, very important that we continue equivalency agreements with countries that want to export to this country, so we do not have a problem, like we did with China.

And right now we only have one agreement. That’s with Canada. And we are pursuing an agreement with the European Community, and others.

So anyway, the funding request is very important for us to maintain the integrity of the program and for us to address the increased demand for services.

Mr. FARR. Thank you.

Mr. KINGSTON. The gentleman’s time is expired. Mr. Bishop and Mr. Nunnelee, we’re going to go in the order of arrival. So you’re next.

Mr. BISHOP. Thank you very much, Mr. Chairman. And let me again welcome you, the witnesses.

#### COOPERATIVE AGREEMENTS WITH STATES

I’ve got a question. Given the fact that we are really, really struggling with budgets and we’re trying to find effective and efficient ways of delivering the services and providing the oversight that has to be done in all of our marketing and regulatory programs, have you given any thought to the role that the states can play in helping to eliminate some of the overlapping inspections, some of the duplication, some of the state following the feds, and vice versa, when it happens, so that it could be streamlined and more effectively accomplished, with a better partnership, better relationship between the state and the federal regulatory schemes in your area of responsibility, for food inspection, for example.

I know I’ve had some conversations with our Commission of Agriculture, who believes very strongly that if he had just a fraction of

the resources that you are expending in Georgia, that he could enhance the inspections that take place, and that it would be win-win for both the federal government in the regulatory scheme, as well as the states.

And it would avoid a lot of the duplication, because they go the same place as you go, they look for the same things that you do.

And if, for example, you worked out a cooperative relationship, so that you could maybe even delegate or authorize the state to perform some of those inspections for you and do some joint training, that it might ultimately be lean and efficient, but effective.

Mr. AVALOS. Mr. Chairman, Congressmen, I really appreciate those comments, because they make a lot of sense.

You know, I'm a firm believer that the Federal government shouldn't be the only answer, but the Federal government definitely has an important role to play.

And we do have a lot of cooperative agreements in place with the states. And many, in fact probably other than salaries, the biggest bulk of our budget in all three agencies are cooperative agreements with States, which are very functional.

They make a lot of sense. Sometimes they can perform the task, the duty, more efficiently than the Federal government can.

And so many times they're doing it locally. They understand the playing field and their home turf, so they can do a better job in implementing programs.

So I agree with you. I understand also that, you know, not only do we have budget constraints; States have budget constraints.

But we are working very close with the States, and we're looking at cooperative agreements and how we can streamline those cooperative agreements and still maintain the integrity of that specific program.

Mr. BISHOP. Yeah.

They seem to feel that of course, obviously, both the federal government and the states are strapped for resources.

But with an effectively drafted agreement, it would appear that the federal could save some funds and some resources, and the state government would have their resources enhanced.

They're there on the ground, anyway, and they go to the same places that you go. So it should work.

And I would hope that you would look into that, and see how realistically we could develop a program, even if we just do some pilots.

Perhaps, if you found some States that are willing and want to participate in that, just to see how it works, and if works well, then it's something that might be expanded to the rest of the States.

Mr. AVALOS. Absolutely, Congressman.

You know, Congressman, I think I'm going to ask. Maybe my administrators might have additional comments. I'm going to ask Administrator Smith to comment.

#### BIOTECHNOLOGY REGULATORY PROGRAM

Ms. SMITH. I could just mention, of course, we work very closely with the States. It's very important to us. One specific example I could give you is in the biotech regulatory arena.

Mr. AVALOS. Mm-hmm.



Ms. SMITH. That's where our Plant Protection and Quarantine Officers do our inspections of our field trials for genetically engineered crops. And about five years ago, we started a pilot with the States to train States that were interested in working with us to do those inspections.

And we do have several States that do inspections now——

Mr. KINGSTON. The gentleman's time has expired.

Mr. Nunnelee.

Mr. NUNNELEE. Thank you, Mr. Chairman. Well, we'll just follow up on where we left off. Let's talk more about regulation of biotech. I think I'm right. You're asking for a 91 percent increase in your biotech regulatory services area?

Mr. AVALOS. Yes, that's correct.

Mr. NUNNELEE. Can you elaborate on that?

Mr. AVALOS. Congressman, first I just want to say that biotech is very important at USDA. Biotech is very important to the agricultural sector, and very important to rural America, because biotech offers another tool for us to meet the growing demand for food and energy.

But on your specific budget question, I am going to ask Administrator Smith to answer your question.

Ms. SMITH. We appreciate the opportunity to provide some information on this request.

As the Under Secretary stated, this is a very important issue for agriculture and for the country. And we have requested nearly a double increase to do a number of things.

The first thing is to hire additional staff to complete both the documentation associated with our compliance with environmental statutes, such as the National Environmental Policy Act—NEPA, as well as to do our risk assessments, which are the basis for our authority.

We'll hire additional staff to be able to do that, because the number of applications that we are receiving to approve genetically engineered products has dramatically increased in the last few years.

We also have significantly more field test locations and significantly more scientific constructs, or the scientific building blocks of what's being field-tested, that we have to evaluate, as well.

So along those lines, then, to support field testing, we're also requesting funding to increase our oversight and our compliance, so that we make sure that those that we're regulating are keeping those field trials confined to where they're being planted and what they've been approved to do.

We are also requesting an increase in funding to support some trade work that we need to do. We work bilaterally with other countries to facilitate the acceptance of our genetically engineered exports into their countries.

And then finally we're requesting some funding to increase the transparency of our program.

Mr. NUNNELEE. All right. And I don't disagree. When I see that kind of increase, I am just obligated to ask about it.

#### ENVIRONMENTAL IMPACT STATEMENTS

Following up, I think I see that you've got a request to outsource some environmental impact statements for about \$3.5 million.

What process are you going to use to select those contractors?

Mr. AVALOS. Well, Congressman, I'm going to go ahead and defer to the Administrator.

Mr. NUNNELEE. Sure.

Ms. SMITH. Yeah. We have a formal contracting process that we follow in APHIS, as does the rest of the government, as well.

We identify what the requirements will be, that we'll need to be able to evaluate within those environmental documents. We put that out for a public bid. We get offers on those, and then we make a selection of whatever entities have the best credentials to do that.

Mr. NUNNELEE. All right.

And then final question on that subject. I also see that you're adding a professional project manager and a technical writer, total cost of \$400,000.

I've been in D.C. for ten weeks. I understand it's expensive to live here. But \$200,000 a pop seems awful high.

Ms. SMITH. I appreciate your question.

Part of that is also around the support that would be provided to those two functions. And what we're trying to do in particular with that project manager, is we currently have a workload of about 22 of these petitions to approve for genetically engineered crops, which is a tremendous number, compared to what we've had historically.

We're used to having two, three, four or five in a year. And what we want to do is create a function within our regulatory unit, that makes sure that at every step in the process, as we are doing this very complex regulatory analysis and process that we go through, that every step in that process is maximized in terms of the use of our resources, and we're doing everything we need to be able to do, to get those approvals either done as quickly as we can, or to come to the point in which we determine that there are scientific issues that won't allow us to do that.

Mr. NUNNELEE. All right. Thank you, Mr. Chairman.

Mr. KINGSTON. Mr. Graves.

Mr. GRAVES. I'm going to wait, if that's all right.

Mr. KINGSTON. Okay.

#### ERADICATING INVASIVE SPECIES

I wanted to ask you, Mr. Under Secretary, about the Emerald Ash Borer versus the Asian Longhorned Beetle. Asian Ash is going to have a 65 decrease, whereas the Asian Longhorned Beetle, we've got six trees in Boston, and you want \$25 million for Massachusetts and in New York, \$18 million. I'm not sure how many trees in New Jersey, but it's \$2 million.

And yet on the Emerald Ash Borer, you're talking about equitable allocation of responsibility between states and the federal government role, which I believe is the right route to go. I'm glad that you are increasing partnerships.

But it seems a little bit inconsistent on the Emerald Ash Borer versus the Asian Longhorned Beetle.

Mr. AVALOS. Mr. Chairman.

Mr. KINGSTON. Mm-hmm.

Mr. AVALOS. The Emerald Ash Borer, is a pest that's gotten to where we can't really prevent the spread and we can't eradicate it at this time; whereas the Asian Longhorned Beetle, it's a pest—

How come we're beeping? Anyway the Asian Longhorned Beetle, it's a pest that we are able to control the spread of at this time. We are close to eradicating this pest.

In fact, Mr. Chairman, last week I was a keynote speaker at an Ag conference in the New England states—in Massachusetts—and I found out that I was only 15 miles away from Worcester, Massachusetts, where the site is—where they're trying to prevent and eradicate the hot spot on Asian Longhorned Beetle.

And I just wanted to share with you and with the committee the commitment that these people had there. There were the State and Federal partners, and it was awfully cold out there. It was windy, two feet of snow. They all had their snow shoes on. They were going up and down that mountain, cutting trees, grinding the trees and the logs.

The commitment was incredible.

So seeing that kind of commitment on the ground makes me feel that the money that we're investing is going to work. These guys are committed to preventing the spread—well, they're committed to eradicating that pest.

So I guess what I'm trying to get at is: We have a chance with that pest.

Mr. KINGSTON. But, what is their monetary commitment? Do you know offhand?

Mr. AVALOS. I do not, Mr. Chairman. And I don't know if—

#### STATE MATCHING FUNDS

Mr. KINGSTON. If you could just provide that for me later is fine, you know, for the record. But I'm trying to figure out, is it equitable in terms of both pests? Or is it, you know, just is it consistent across the board?

Because these things do flare up.

Mr. AVALOS. Okay. Do you want to add any clarification?

Ms. SMITH. When you say "equitable," you mean in terms of the cost share being—by the state?

Mr. KINGSTON. Yes. Is there a specific formula on how you do it?

Ms. SMITH. I can get you the specific numbers. But one of the things that I would emphasize on the Asian Longhorned Beetle is that the potential impacts of the Asian Longhorned Beetle really are tremendous, because you're talking about \$12 billion, we're protecting \$12 billion worth of a resource in terms of the National Hardwood Forest, that the ALB is right on the edge of.

In addition, you're also looking at protecting about \$4.3 billion in tourism.

So it's a very significant resource being—

[The information follows:]

This year, APHIS' budget authority under a Continuing Resolution at the FY 2010 level would be \$33 million and States are contributing \$9.843 million. These figures result in a 77 percent APHIS cost share. For FY 2012, APHIS is requesting \$44.491 million, while States are expected to contribute \$9.43 million. As a result, the Federal cost share for FY 2012 would be 82 percent.

Mr. KINGSTON. And let me ask you this, because cutting the trees and grinding the wood and so forth, is really reactionary.

How are we doing in the lab, to prevent it? Where's the science of prevention? Do you know what stage it is—

Ms. SMITH. Right. Asian Longhorned Beetle, we're in a much better position to know what to do. We've successfully already eradicated it from Chicago, Illinois.

And so we believe that just with the right resources, that this is something we can—

Mr. KINGSTON. But do you know what the science is?

Ms. SMITH. For Emerald Ash Borer?

Mr. KINGSTON. No, for Asian Longhorned.

Ms. SMITH. For Asian Longhorned Beetle, we are applying—

Mr. KINGSTON. You know, one of the age-old problems this committee has, particularly in ARS-type issues, is where we study the sex habits of that pests in order to eradicate them, and then Readers Digest, "Oh, the stupid idiots on Capitol Hill are studying Asian Beetle sex now."

And you know, but that is kind of what you need to do is figure out how to keep these guys from getting together.

So maybe if you could give me a G-rated answer on that?

Ms. SMITH. Okay

Mr. KINGSTON. But do you know, where is the lab? What's happening in the laboratory?

Ms. SMITH. The Asian Longhorned Beetle, our focus really is going ahead and doing the eradication now. So with that, we have the tools that we need, in terms of being able to do—

Mr. KINGSTON. But I know. But what is it?

Ms. SMITH. I think—

Mr. KINGSTON. Put on your Ph.D. Take me into the lab, what's going on?

#### ERADICATING INVASIVE SPECIES

Ms. SMITH. Well, we're not working in the lab, because we've got the answers already from the lab, and we're applying chemicals, pesticides to kill the beetle infestations.

And we remove some of the trees, as well.

Mr. KINGSTON. And pesticide is the only way we know how to do it?

Ms. SMITH. As well as—

Mr. KINGSTON. Like at what stage do you get the—are you an entomologist or not?

Ms. SMITH. I'm not an entomologist.

Mr. KINGSTON. Neither am I.

Mr. AVALOS. But Mr. Chairman, I'm not an entomologist either, but just what I learned on the trip out to the site, yes, they're applying pesticides to the surrounding trees, but these pests, they get into the ground, they get into the wood. And then, you know, they survive that sub-zero weather.

Mr. KINGSTON. Mm-hmm.

Mr. AVALOS. By the science, the research that was given to these people in the field was that if they take the wood and they grind it to a half-inch or smaller, even if the eggs are in there, they can't survive.

So that's the answer at this time is to take any infested wood, grind it up to that diameter, and the eggs, the larvae, they won't live.

Mr. KINGSTON. But it has to be infested before we can do anything.

All right. My time has expired. Mr. Farr?

Mr. FARR. Thank you, Mr. Chairman.

It's very interesting when you think about it. This committee has the responsibility essentially for the biological war that's out there. It's like the War on Terrorism, or anything else, because if you do have these invasive species coming in, or the way grow in certified products in this country, in order to send them out, that you've got to get into this kind of exotic and very regulatory program.

And I mean, this is the witnesses that are essentially responsible for all the certification of marketing that we're doing it to the other countries, and to consumers that we're doing it right.

And at the same time, the pest fighters.

And you have a lot of challenges then, because there's all kinds of new stuff going on. And I wanted to give you a whole list, that you can just respond to in writing, of what you're doing about it.

#### LIGHT BROWN APPLE MOTH/EUROPEAN GRAPEVINE MOTH

Particularly I wanted to ask you about two of them. I mean, the nursery needs in California are by this Australian moth that got in—the light brown apple moth.

And it's just created havoc. I mean, the State of California decided the best way to do it is aerial eradication by spraying an organic material. And the public just went nuts:

"You're not going to spray us." They go nuts if you tell them you're going to spray them with distilled water. They just don't like helicopters spraying.

And actually, we're using law suits and brought the whole thing to a stop.

The Feds have been phenomenal in making sure that the state does it right in finding alternatives.

But I want to know, both with the light brown apple moth and this new wine grape growers need with the European grapevine moth—two moths that just could wipe out the biggest industries in California—how do you balance between having enough money to do the regulatory side—and just sort of the core that you do—but all of this eradication? The war is on the ground.

And in every case, the host country in this case, or the industry, whether it be nursery industry or wine grape grower industry, they're putting up their own private capital to match the efforts of the federal government, or in the state.

States usually have the responsibility under their agriculture departments. And that's what Mr. Bishop was talking about, is we need to develop a better farm team out there that's on the ground, first responders, to have the capacity, so that we don't have to send people from Washington to do that.

But I'm just curious—and you're right out of the field. I mean, you understand this stuff, because you were in New Mexico, and you did an incredible marketing advancement of really being able to match crops to markets.

And you bring this ground sense into the USDA. Now that you're there, how are you going to balance the need for what you saw on the ground when you were in New Mexico, and working with other Ag Commissioners? And the need for them to maintain a certain—I don't want any message to be given to the community out there that their life's depending on it, and they're putting up their risk capital.

And they're still trying to fight, because you got to certify all this, every time you move a product out of county, you got to get a certificate. Our Ag Commissioner issues about 200 certificates a month on the light brown apple moth.

That's real labor-intensive, because you've got to go out there and do all the inspections.

How are we going to get a handle on this war? Do we have enough money to do it?

Mr. AVALOS. Well, Congressman, I really appreciate your comments on these two very devastating pests. The light brown apple moth. You know, it attacks over 2,000 different species.

It's an ugly pest.

Mr. FARR. Mm-hmm.

Mr. AVALOS. And the European grapevine moth is just devastating to the grape industry, not only of California, but you know, we've—

Mr. FARR. Yeah. We grow out there something called wine. And people kind of like that, California wine.

Mr. AVALOS. Absolutely.

Mr. FARR. And it could wipe it out.

Mr. AVALOS. So anyway, to try to address your question, it's difficult, especially in tight by the situation is not only here at the Federal level, but I know it's also very tight at the State level.

So we have to prioritize and we have to look at a pest that we have a shot at controlling and eradicating versus one that is too widespread and the resources that we put in will not benefit.

So anyway that's pretty much the criteria that we've been using as to where we allocate our limited resources. And I don't know—

Mr. FARR. I just want assurance. I mean, on the record. You can give it to me personally. But I want it on the record, because a lot of people are watching this hearing.

That you're not going to let them down. I mean, you've invested heavily in that light brown apple moth eradication, with sterile flies and moths. And you're doing a lot with the European—and this is really, I mean, the grape industry is going nuts about that.

But you're going to be there, and your budget says you're going to be there.

I want assurances that you will be.

Mr. AVALOS. Congressman, we will be there. These two pests are devastating, and we're not going to give up on them. Because with these two I have a shot to prevent the spread, and we have a shot to eradicate.

Mr. FARR. Thank you.

Mr. KINGSTON. Mr. Nunnelee.

Mr. NUNNELEE. No questions.

Mr. KINGSTON. Mr. Bishop.

Mr. BISHOP. Thank you very much.

## HEALTHY FOOD FINANCING INITIATIVE

Mr. Avalos, I was pleased to see that you are expanding your activities in terms of providing marketing opportunities for small farmers in the communities that are located near the farmers' markets out there.

Can you tell me, about how many communities will be impacted by the program, and whether those programs that you're supporting will be evenly distributed throughout the country, including urban areas, but in our rural areas also?

Mr. AVALOS. Congressman, are you making reference to the Healthy Food Finance Initiative?

Mr. BISHOP. I am.

Mr. AVALOS. Very good.

Just to kind of give a little bit of background to the committee on the Healthy Food Finance Initiative, a priority for this Administration is better nutrition, especially for low-income Americans—

Mr. BISHOP. Yeah.

Mr. AVALOS. In rural and urban food deserts throughout the country.

The \$35 million that we're requesting, it's to partner up with other federal agencies. We're just one of the players in this working group.

This money would be used to develop or establish retail food outlets, maybe mobile food carts, in communities that don't have options. They don't have access to healthy food.

You know, and this is not only food deserts, but it addresses so many other needs in communities where we don't have access to good, healthy food.

But I just wanted to emphasize—well, to answer your question, we're looking nationwide. We're not prioritizing one area over another.

## FOOD DESERTS

In fact, we did the research and identified food deserts.

Mr. BISHOP. Right.

Mr. AVALOS. And we have a map that demonstrates where they're located.

Mr. BISHOP. Mm-hmm.

Mr. AVALOS. But I wanted to emphasize to you, Congressman and to the Committee, Mr. Chairman, that you know, this activity is going to create jobs, it's going to stimulate the local economies, and it's going to create new markets for our farmers.

Mr. BISHOP. Right.

Mr. AVALOS. And also, I wanted to emphasize that this is not just taxpayer money. You know, some of the projects will be leveraged with private sector investments. And really, Congressman, it's all about partnerships.

The Federal government can't do it all, and we have to work with the States, and work with the private sector.

And I know that there's a tremendous interest from the retail food industry.

And I'll give you a quick example.

Mr. BISHOP. But there are programs, for example, on the local level, some of the states have had projects, where they were able to provide vouchers for individuals who were getting WIC, or individuals who were getting the EBT in the SNAP Program, so that when they went to get their authorization and benefits, they could come right outside the facility and have a farmer there, who would be authorized to accept those vouchers for fresh fruits and vegetables, which would enhance that.

Those are the kinds of programs that I'm imagining that you will be expanding into those food deserts.

But particularly the programs that USDA is in charge, the nutrition programs that USDA is in charge of.

We've got senior commodity programs, we've got the WIC program, we got the SNAP programs, and the School Lunch Program, to enhance the utilization of fresh fruits and vegetables to enhance the value.

How are you going to be able to do that, in terms of your marketing? What is your plan for implementing that? And of course, it goes along with what the First Lady has outlined to help us not have our kids too fat to fight. [Laughter.]

Mr. AVALOS. Congressman, thank you for those comments. And it does tie into the initiative of the First Lady, and this was important.

The work we're doing, you know, we're not creating new programs; we're using existing programs.

And I can talk about this from a personal standpoint, because before coming to D.C., when I was in New Mexico, I utilized these programs to do exactly that.

The Farmer's Market Promotion Program, we used that funding. The Specialty Crops Block Grant Program, we used that funding to expand, not only farmer's markets, to utilize the WIC Program, to utilize the SNAP Program at the Farmer's Markets.

So this concept is just one component, Congressman. It's a very important component. But we're also taking it a step further, where we can partner up with a retailer—a retailer that wants to bring in maybe a different version of one of their standard stores—partner up with maybe a mobile food vendor, that wants to bring in fresh fruits and vegetables certain times of the year, certain days of the week.

So there's a lot of options available to us. And I can assure you the experience that I have on the ground in New Mexico, I will utilize here in D.C.

Mr. KINGSTON. The gentleman's time is expired.

Mr. Graves.

Mr. GRAVES. Thank you, Mr. Chairman, and Mr. Avalos, for being here.

You know, after reading your biography there—and I know you have a lot of experience in marketing, in agriculture and seeing the budget and some of the testimony here—could you help the committee and myself understand what the return on investment has been? Or how would you measure that with the investment in the know your farmer and the farmer's market activities of the marketing department there.



And what's the taxpayer getting in return? That would help us a little bit.

“KNOW YOUR FARMER, KNOW YOUR FOOD” INITIATIVE

Mr. AVALOS. Congressman, that's a good question. And thank you for the opportunity to talk a little bit about that, because I can give you some of my hands-on experience, of some of these programs.

There's a Know Your Farmer, Know Your Food initiative at USDA. Really, it's not a new concept; it's been around for a long time all over the country.

In fact when I was in Texas right before the Christmas holidays, I went into my favorite grocery store in Texas, the H-E-B Supermarkets. And they have a Know Your Farmer, Know Your Food Initiative they've had in place for three years.

Nonetheless, that's probably the best way to measure this success—because I'm a firm believer that the Federal government should not be the only player.

The Federal government should be a player in a lot of these programs; but private sector has got to come into play; State government's got to come into play. Other entities have to come into play.

SPECIALTY BLOCK GRANTS PROGRAM

I'm going to talk a little bit about the Specialty Crops Block Grant Program. This program is absolutely critical to the countryside. Absolutely critical, because the money from that program actually trickles down to the producer, actually trickles down to the shipper, to the packer, and to the retailer.

A good example is New Mexico chili peppers. About five years ago, we started to think outside the box, started to market the fresh green peppers outside of the state of New Mexico.

And already there was transplants that took the tradition with them to Arizona, California, Texas, some of those surrounding states.

So to sum up quickly, we started out with four states, utilizing, especially the Specialty Crops Block Grant Program, utilizing investments from the producer, the shipper, and the retailer.

We expanded last year, the State of New Mexico was selling New Mexico green chili peppers, fresh market, to 28 different states. It went from maybe \$8, \$9 million sales to close to \$35 million in sales in five years.

I think that's a good return on the Federal investment.

Mr. GRAVES. Does that happen across the board globally? Or is that just one example?

I think where we are right now, I mean, you know as a committee, we have to make decisions on what's the best investment of the limited resources we have? And they're very limited. And what return is the taxpayer getting on that investment?

I think there are several members on this committee that think that it might be better to return those tax dollars back to the taxpayers and allow them to be their own marketers, and sell their own produce, without the picking of winners and losers coming from the federal government.

Mr. AVALOS. Well, I appreciate that comment. But I can't tell you which program is better than the other program. But I can tell you that the investment by the government and their return can be demonstrated across the country.

I haven't worked in marketing for 30 years, at the state level. I have my old counterparts. And in fact, I reached out to them not too long ago, at the last—what is it, North American Agricultural Marketing Officials' Convention—and we're trying to put together a list of success stories from the Specialty Crops Block Grant Program to demonstrate the return on the Federal investment.

And I got a note from my administrator, Rayne Pegg, at AMS. I think she wants to comment on this for a minute.

Mr. GRAVES. Oh, that would be great.

Mr. AVALOS. So I'm going to turn it over to her.

Mr. GRAVES. Thank you.

Mr. KINGSTON. You have 30 seconds.

Ms. PEGG. Oh, okay, I'll make it quick.

#### FEDERAL-STATE MARKETING IMPROVEMENT PROGRAM

Looking at some of the modest increases that we have for the 2012 budget, if you just look at the Federal-State Marketing Improvement Program—FSMIP—increase, that's currently a \$1.3 million program, and we're looking at doubling that. Even under the \$1.3 million program, we're leveraging, there's a match of roughly four to five million dollars that we're getting from those that are applying to the program.

So we are getting a match of dollars, and it's kind of a small grants program that's really helping people address many of the issues that they need to address, whether it's transportation issues, how to get stuff to market.

So these are small investments that are making a big difference.

Some of the other investments and budget increases, the \$1.9 million that we're looking for the Transportation and Marketing Program. You're seeing producers gathered together, 40 to 100 producers gathered together, and they're seeing price increases of \$100 more per head on cattle sales, when they're banding together.

So these are about creating sustainable market opportunities and giving the right technical support, so that you do create a sustainable model that can meet both the small and medium and large sized producers throughout the country.

Mr. GRAVES. Thank you.

Mr. KINGSTON. Ms. Lummis.

Ms. LUMMIS. Thank you, Mr. Chairman.

#### BRUCELLOSIS INTERIM RULE

First question regarding some APHIS issues. Thank you.

APHIS recently implemented an interim rule on brucellosis regulations. And this is regarding the greater Yellowstone area.

And once upon a time in a former life, I was part of the GYIBC, the Greater Yellowstone Interagency Brucellosis Committee. So I know how long this has been going on. And the difference in missions, the competing missions of federal agencies.

I mean, you have APHIS, who's trying to eradicate a disease that needs to be eradicated. And you have the National Park Service,

fighting tooth and nail because of the role that wildlife plays in the eradication of the disease.

So it creates in the stage just kind of an untenable situation for state veterinarians, livestock boards, livestock producers, and wildlife managers.

Now I note that given the requirement for states to produce management plans within six months—normally this is a cost-sharing deal—what resources should states expect the federal government to put towards brucellosis management in the greater Yellowstone area, when implementing these plans? Because of the cost sharing stuff?

It's kind of an unfunded mandate if it's not a cost-sharing deal.

Mr. AVALOS. Do you want me to respond, Congresswoman? You were looking at Administrator Smith. I just wanted to make sure.

Ms. LUMMIS. You know, whoever wants to.

Mr. AVALOS. Why don't we both take a crack at it.

Ms. LUMMIS. Thanks.

Mr. AVALOS. You know, I realize your concerns about the funding, and I realize that there is a tough budget situation, and a very short time line.

So I can tell you this: That, you know, USDA will look for ways to continue to contribute. I can't tell you right now today how much, but I can tell you that we will look for ways to support and to contribute.

And I don't know, Administrator Smith, if you have something you can add to that.

Ms. SMITH. Yes. I would just express that commitment as well. Of course, we want to work with the States, and recognize that we're all in a bit of an uncertain funding situation.

But we recognize that these diseases, the States really are on the front lines for where these diseases are located. And we very much appreciate that. We need to be working with the States to do this.

I will also share that this interim rule, really the heart of this interim rule is to reduce some of the pressure on the States and the producers in the States, by allowing the States to keep their class-free status, and just focusing on where the disease actually is right in those—

Ms. LUMMIS. In the zone—

Ms. SMITH. The limited zone.

Ms. LUMMIS. Yeah. I appreciate that so much. Thank you.

Mr. AVALOS. And Congresswoman, I just wanted to say that I appreciate that you understand how this works. I appreciate that you understand the impact that brucellosis has on the cattle industry and how bison and elk impact on that.

Ms. LUMMIS. Oh, it's a conundrum. And obviously it's not going to be an easy one to resolve. So you know, thanks for hanging in there with the States and with the producers. Because livestock producers are between a rock and a hard place on this one. We end up being the pawn between basically two federal agencies with competing missions.

And so it's a toughy.

## GRASSHOPPER PROGRAM

Question on grasshopper funding. I'm all over the map today. How many protected acres has APHIS budgeted to treat for grasshopper outbreaks this summer?

Mr. AVALOS. Congresswoman, when you say grasshoppers, that reminds me back in the 1980s in my home state of New Mexico, I actually worked on the grasshopper and range caterpillar spraying program.

Ms. LUMMIS. Oh.

Mr. AVALOS. I was quite a bit younger back then, and I remember walking up and down the range land, dodging rattlesnakes and taking a count on grasshoppers.

So I appreciate that program real well, but I appreciate the damage that grasshoppers can do to range land and to crop land.

I know that very, very well. So to try to answer your question, you know, the notes they gave me—because I did ask about grasshoppers—

[Laughter.]

Mr. AVALOS. Surveys that were taken indicate that the grasshopper population in the west should be less this year. However, I know in your State in areas where there wasn't a spraying program for grasshoppers, the population's probably come back a lot stronger.

Ms. LUMMIS. Yep, yep.

Mr. AVALOS. So you know, now I'll let Administrator Smith clarify, if I'm not correct, but we do have the resources to continue the spraying program on the range land.

Mr. KINGSTON. The gentlewoman's time has expired. If you could just maybe submit it? Or we'll have another round, if you want to. [The information follows:]

Information from USDA—

APHIS is currently conducting surveys to identify areas that may have high grasshopper and Mormon cricket populations this year. However, based on preliminary information and requests from land managers, APHIS anticipates that fewer than 200,000 rangeland acres will require treatment. Because treatment costs vary by location, the exact costs are unknown at this time.

Mr. Farr.

Ms. LUMMIS. Thanks, Mr. Chairman.

Mr. FARR. I'd just like to note for the record that the Greater Yellowstone Interagency Brucellosis Committee was an earmark of \$650,000 by Reiburg and Simpson.

So earmarks really do help pinpoint problem-solving, and I hope we'll get back to them some day soon.

## AUSTRALIAN STRAWBERRIES

I have an issue on California strawberries: big, huge industry in California. Value added. Probably one of the most successful of all agricultural products grown in the United States. All done privately, no subsidies at all.

And I want to thank you, you wrote a letter asking Australia to drop its requirement for extensive sampling of strawberries. I mean, these are fresh fruit, you lay them around for days while you're sampling them. They rot, and then you don't accept them.

And so it's an interesting way of sort of having a, you know, banning imports, or not getting imports, or not getting sales.

And I wondered whether you've gotten a response to that letter, and whether you're going to be able to establish a pre-clearance program? Are you acting on that on trying to do pre-clearance and get Australia to stop being so—

Mr. AVALOS. Congressman, unfortunately I don't have an update to give you at this time, and I don't know if our administrator does or not.

Ms. SMITH. Actually I don't have an update on the strawberries with Australia. But we'd be happy to get you in on that.

Mr. FARR. Okay Well, work on that. And we're really looking for being able to get a pre-clearance.

Ms. SMITH. Okay.

[The information follows:]

USDA sent a letter to the Australia Department of Agriculture, Fisheries, and Forestry (DAFF) on March 10, 2011. APHIS officials spoke with their counterparts in Australia about the request later that day, and the DAFF officials expressed support for our preclearance proposal and for the timeframes we proposed. Australian officials assured us that they will provide a formal response soon. We will continue to discuss this issue with them.

#### SPECIALTY CROPS

Mr. FARR. You—for newer members, I'd just like to say that it's very interesting, when I came on this committee, I didn't have a lot of background in agriculture. And you sort of listen to all these things, and you think, "Well, this is kind of wacky. Why do we spend all this money?"

But I'll tell you, since being on this committee in the last 18 years in Congress, I've had a hundred stories of why government is so helpful to private sector farmers.

And it's interesting, just last week, not in this section, but we had a loan guarantee from the Department of Agriculture. The big banks would not loan to this business. It had been very successful for many, many years. And they needed \$4 million. And they just walked away and said, "We're not going to help you."

And they ended up going to a small bank, and went to the USDA and got the loan guarantee. And this small bank says "This is the biggest loan we've ever made, \$4.2 million." Saved 95 jobs of this big ag distributor, who takes all these specialty crops and puts them all over California.

And it's just, you know, you wonder, why do you need loan guarantees? Why do you need these little things? These little—it is really.

And I mean, I've become totally—the more you learn about this, the more you realize that the government role is absolutely where private sector won't go. They just drop the ball. There's gaps out there.

And I've found in politics that the people come to you when those gaps exist, and ask you to kind of glue things together.

And I think if we just kind of meat-ax and chop a lot of these programs, you're going to kill the missing link that really helps get access to food in a safe way.

And whether it's poor people trying to get it through food stamps, or growers trying to get peppers to market, as you indicated. And

I'm going to submit for the record, a lot of pest issues, because I'd like some response on them.

But I just want to also say that I think that your entity is so important to be doing a good job, and I think that you, Mr. Avalos, what I'd really hope and I think this committee would hope, is that if you can find your experience at the local level.

I think the federal government's got to work more closely with states and local governments; I think we ought to delegate a lot of those authorities; I think we ought to hand out a carrot and say, you know, "If you get certified, we'll give you some block money to go do it." And then we ought to check the heck out of you to make sure that you're doing it right.

But we do have to not spend money unwisely. We have to spend it very wisely. But we also have to get a better bang for the buck. And I think you're in a position where you can do that.

#### MR. AVALOS' AGRICULTURAL BACKGROUND

Mr. AVALOS. Congressman, maybe just to make remarks again, Mr. Chairman, I am new to the committee. I haven't been to this committee before. I just wanted to give just a quick, quick background that I have been in agriculture all my life.

I am from New Mexico, grew up on a family farm, and I worked in agriculture all my life. So I come to D.C. as the Under Secretary overseeing three very, very important agencies that directly impact on the people I worked with back home. And coming to D.C. is almost like coming to a foreign country to me, but one thing that I do bring to the table is that I look at things very differently in working with a champion writer-coach like Cindy Smith who has been in D.C. most of her life.

I look at things different. I look at any decision I make or decision our agencies make. I look at it from the countryside to D.C. There are a lot of people that have been here a long time. I look at it from D.C. to the countryside. So I bring that perspective, and I will try to utilize the benefit of all entities and agriculture.

Mr. KINGSTON. Thank you.

Mrs. Emerson.

Mrs. EMERSON. Thanks, Mr. Chairman, and forgive me for being late, but I was running my own hearing this morning. So thank you all for being here today. I appreciate it.

#### PACKERS AND STOCKYARDS ACT-PROPOSED RULE

Under Secretary Avalos, many producers have expressed concern over the past months about GIPSA's proposed rule to amend the "Packers and Stockyards Act." And I think that we all agree that transparent and fair markets are important for producers, for packers, for processors, retailers and consumers. However, I have to say that many of my livestock producers are very, very concerned, and I have a very large livestock industry in my district.

They are very concerned that the new rules would go too far and threaten their value-added marketing opportunities. I think that they are concerned that the new rules would remove incentives for premiums by treating all products like a homogenous commodity. And so you know the state of Missouri adopted a Missouri livestock marketing law back in 1999. It was implemented, I think, in May

of 2001, and the law was very similar to policies included in the GIPSA livestock marketing regulatory proposal.

Our producers felt this new regulation almost immediately and the legislature had to repeal that in a special session, probably three or four months after it was implemented. In our State there was an immediate two percent impact on cattle prices, and a four and a half percent decrease in hog prices costing our industry millions of dollars. And packers were reluctant to pay the same price for Missouri livestock as for neighboring state livestock. Buying in Missouri brought the added risk of a lawsuit for price discrimination.

And I understand that you all are doing an economic analysis on the rule, which, of course, I think should have been done in advance of proposing the rule. Hopefully, that won't happen again. So two questions: Number one, has USDA studied the economic impact of our Missouri law on producers; and, if so, were those issues addressed in GIPSA's proposed rule. And, second, does USDA intend to go through a notice and comment period on a completed economic analysis before moving forward on a final rule?

Mr. AVALOS. Congresswoman, I am not familiar with the law from Missouri, but just as you were talking, I was thinking. This sounds very serious, if it had such an impact on cattle and hog prices. So I am hoping during the comment period that producers from your State did submit some comments. This is a very, very important part of the rulemaking process that we get comments that talk about this rule and the negative impact it has on the industry, because it's important.

The rulemaking process we went through, we got over 60,000 comments; and we are taking that very, very serious, and we are reviewing them thoroughly. And these comments that we are submitting, I hope there were some on this rule. You know, they are going to be used for the final cost benefit analysis. They are going to be used to draft a final rule.

I wanted to talk a little bit about the process on the cost benefit analysis. On the proposed rule, we did prepare a cost benefit analysis as part of the rule. It was reviewed by our chief economist, and we did receive quite a few comments from private sector economists, university economists. We have seen quite a few comments on the proposed rule.

Mr. KINGSTON. If the gentlewoman would yield?

Mrs. EMERSON. I would be happy to yield.

Mr. KINGSTON. Mr. Under Secretary, I want to emphasize, though, that members of congress on a bipartisan basis would have a respectful disagreement on that, and 115 wrote the Secretary to raise that issue. So even, I think, there is a great deal of concern that it has not been open and transparent. And I yield back.

Mrs. EMERSON. Thank you.

I'm sorry. Would you like to continue?

Mr. AVALOS. No. So I guess what I want to say is we have followed the standard rulemaking process. I think that we have a very good system in place in this country, and I just want to show respect to the rulemaking process and let the system work; because one thing I can tell you, Congresswoman and Mr. Chairman, and members of the Committee, this is really important to me, having

come from the countryside. And I promise you I have gotten comments from a lot of people. Okay.

And, unfortunately, I can't discuss them here, but I can tell you that I really truly and USDA truly want to keep farmers and ranchers and producers in business. We want to make sure they have access to value-added, have access to premiums, and at the end of the trail, I want to make sure that we have a sensible, workable, functional common sense rule.

Mrs. EMERSON. Well, I thank you.

Mr. Chairman, can I just make one comment since you borrowed some of my time?

Mr. KINGSTON. Okay.

Mrs. EMERSON. I would just simply say that coming from the countryside, as you did, and I have great respect for that and it's really nice to have that perspective, like real world experience. And I think that it makes for a better understanding of all the problems everyone faces, producers face around the country. But it just seems to me that coming from that perspective, you yourself—and you don't have to comment on this. This is my comment. You yourself would want a cost benefit analysis done or an economic analysis done before a rule was even proposed, I would think. So thank you so much.

Mr. KINGSTON. Thank you.

Ms. Kaptur.

Ms. KAPTUR. Thank you, Mr. Chairman.

Sorry I couldn't be here earlier. We had a concurrent hearing with HUD. The Transportation HUD Committee and the Budget Committee, so I was interested in just placing on the record the importance of funding for Emerald Ash Borer, because of the significant impact it's having in our region of the country where at least ten percent of our tree cover, and maybe more, will be gone. And it's really an incredible sight to see entire neighborhoods completely denuded of trees and the replanting that will be necessary.

And USDA has been really helpful over the years with the spring planting programs, and so forth, but I just wanted to mention that. I also just wanted to make a comment. And not so much of a question, but to encourage you in your GIPSA regulations and administration to protect small producers, and also to do what is right from a humanitarian and a scientific standpoint.

I know I happened to go through several houses on the East Coast—poultry houses—and watched what happened to the individual farmers who really became contract laborers for big integrators and were placed into debt. And all of the risk in the contract was placed on the farmer—not the integrator.

The birds died, for example, and I was so upset by what I saw that I called USDA and asked them to put a standard contract for farmers to look at so they wouldn't get bilked in the contracting process. I don't even know if that still remains on the GIPSA website. I hope it does, but I couldn't believe some of the questions that the farmers didn't ask when they got themselves into these really raw deals.

For example, the financing question itself it did on weights and measures, the integrator controlled the feed that went to the animals. And so the farmer had to buy the feed from one supplier that



happened to be the integrator. That's a nice cozy deal. And there was no separate weights and measures when that product came to site.

I said to the farmers as we were walking through their farmsteads. I said, "Could I ask you a simple question? Who controls the manure? That's black gold. Do you?" And the farmer said, "We never asked that question." I said, "You mean it's not in your contract?" "No." I said, "Well, that's interesting."

I went to lunch with the company, the integrator, and they brought out from the back room during lunch palletized manure—not for us to eat. But it was very interesting to me that they thought ahead, but the farmers were not even a part of the conversation. I then saw the immigrant workers that were working there and I will never forget that. The conditions they worked under, the nitrogen they breathed in, no shirts, no gloves.

I couldn't believe it. I thought it was the 19th century, and I didn't sense that there was a real integration of Department of Labor, Environmental Protection Agency, USDA on those sites. Some of these so-called integrators also have polluted major parts of our country, and we have got a problem over in Mercer County, Ohio, now, with a place called Grand Lake St. Mary's, because of poultry farming and I believe livestock.

And I don't really know what you can do about that at GIPSA, but I would encourage you to protect the farmer. On your website, give them good legal advice. Protect the small producer and go after those that are really making lots of money and controlling major shares of this marketplace, and take advantage of their market power to do so. I just think that there's another shoe that has to fall, here, so I want to encourage you on. And I really felt that our farmers—they weren't farmers anymore. They were in bondage.

So I just share that experience for the record.

Thank you very much.

Mr. AVALOS. Thank you for your comments, Congresswoman.

#### PACKERS AND STOCKYARDS ACT ENFORCEMENT

Mr. KINGSTON. Mr. Under Secretary, I want to get back a little bit to Ms. Emerson's question. And you may want to answer this, or Mr. Butler you may want to. And the gist of it is you are asking for expanded authority, yet I have to question your handling of the Eastern Livestock situation. And your increase request is \$2.2 million on top of \$24 million which you already have.

Last year it was estimated that 750 sellers in 30 states were impacted by the financial failure of Eastern Livestock. They were bouncing a number of checks, which totaled up to \$130 million, and according to USDA documents, USDA informed Eastern on June 17, 2010, that they needed to increase their surety bond to secure livestock operations under the "Packers and Stockyards Act" before continuing operation. But I'm wondering why more wasn't done earlier to enforce this.

And so the big question is there was some questionable activity going on, and what was the action of GIPSA before the checks started bouncing or as soon as they started bouncing. It would appear to me that we did not act quickly enough on that one.

## EASTERN LIVESTOCK FINANCIAL FAILURE

Mr. AVALOS. Mr. Chairman, thank you for the question and thank you for the opportunity to try to clarify it.

You know, Eastern Livestock, they were reviewed by GIPSA. They were determined to be in compliance. Their financial audit was prepared by a private sector CPA firm.

Mr. KINGSTON. Do you know if it was a compilation audit or was it an audited statement, completely? Do you know—certified according to Generally Accepted Accounting Principles?

Mr. AVALOS. I know it was determined by an administrator, but I don't really know—

Mr. BUTLER. It was done by a private firm out of Louisville, Kentucky. It was an unqualified financial statement, which as I understand is the highest grade that you can get. It was attached to their yearly report, which is a normal process for some companies that we regulate.

Mr. KINGSTON. So it was according to the General Accounting Principles?

Mr. BUTLER. Correct.

Mr. KINGSTON. And it was an audited statement, audited financial statement?

Mr. BUTLER. Correct.

Mr. AVALOS. So, Mr. Chairman, I just wanted to say that with that information nothing suggested a potential for financial failure. In reality, this was a check kiting scheme. The bank didn't even know. And GIPSA, they did their job, according to the guidelines you're supposed to work under. There was just no way for them to know in advance.

Mr. KINGSTON. So it was more of a criminal act?

Mr. AVALOS. Absolutely.

Mr. KINGSTON. Once the letter was written to them about increasing their surety bond, what happened after that to prevent continued damage to the livestock?

Mr. AVALOS. Mr. Chairman, I am going to defer to Administrator Butler. I think he can do a better job of answering this question for you.

Mr. BUTLER. Once we wrote the letter instructing them to increase their bond from, I believe it was \$850,000 to a little over a million, they did not follow through with that. We turned that over to the office of General Counsel for prosecution.

But I would like to further say, in addition to what the Under Secretary said, this has been publicized in the documents that are on file. It's in bankruptcy, a large bankruptcy being handled by the trustee. This was a very, very sophisticated check kiting scheme. As he said, the bank didn't catch it.

The bank examiners didn't catch it. Obviously, the accounting firm didn't catch it, and so at GIPSA we do not do, or our reviews are limited on what we do. We go in to see if somebody's solvent and do they have enough money in their account to pay their bills. Are the assets current assets in excess of current liabilities? We determine whether they're paying on time.

The Act requires that they pay within one business day. That is very essential, because if they don't, if it's extended out, you have

problems with the trust. We have a trust involved where they have priority in case something happens. If it's extended out past 60 days, the bond is not applicable. And so this was a catastrophic failure unlike anything that I've seen. I've been in the cattle business for years, and you say it was a criminal act, you know, the Department of Justice is involved in it, and we just can't say much more about it.

Mr. KINGSTON. My time has expired, but I wonder rather than having a whole set of new rules for GIPSA if we shouldn't go back and say that you have the ability to increase their bond higher than you did. Or, if somebody doesn't comply with your request that they increase the bond, that you have faster authority to shut them down or take remedial action on a faster basis. And then do something in that June to November period that would give you more authority when somebody is clearly on the fault line and then all the red flags pop up.

Then we can act faster to prevent more livestock producers from going broke over this. And my time is expired, but I want to ask you on the next round about the poultry, or—excuse me—since we have done things to help poultry farmers in a similar situation, if we are doing enough or if there are things that can be done for the livestock producers.

So you be thinking about that. My time has expired.

Mr. Bishop.

Mr. BISHOP. Thank you very much. I just want to go back to GIPSA for a moment.

#### PACKERS AND STOCKYARDS ACT ENFORCEMENT

You're proposing an increase of \$2.2 million for GIPSA, which result, as you project, in 500 additional inspections and compliance reviews. According to the budget, this would increase industry compliance to 84 percent. What would it take in funding and new inspections to reach 100 percent compliance?

Mr. AVALOS. Congressman, that's a good question. It is a question I don't think I can answer, but I would like to make a few comments.

The increase in funding, the request for the increase, really is for stronger enforcement to increase the level of compliance, number of reviews, the time it takes to process claims. I think this is all very, very important; and just as important is protection that is given to an additional 8,400 livestock producers in this country.

I have always said in discussions I have had with Administrator Butler: compliance, it's so much less expensive than litigation. And obtaining compliance is really, really important at GIPSA, and to avoid litigation would save the taxpayer a lot of money.

I wanted to give an example to determine kind of—

Mr. BISHOP. Could you possibly submit that later for the record?

Mr. AVALOS. Sure, absolutely.

Mr. BISHOP. That would be helpful to us.

Mr. AVALOS. Okay.

Mr. BISHOP. Because, I mean, 84 percent compliance is fine, but that is 16 percent noncompliance.

[The information follows:]

Fiscal year 2007 was the first year that the Packers and Stockyards Program adopted as its performance measure, the percent of industry compliance, and this data is available through FY 2010. During this period, compliance has improved from an initial 73 percent to the current level of 80 percent. Within these data ranges, the compliance rate improvements came primarily from improved management strategies that increased field agent performance and additional employees in the field.

Costs would increase substantially to reach higher levels of enforcement, as increased presence in the marketplace would require additional employees and mechanisms that would serve as a deterrent, such as penalties and enforcement. Reaching 100 percent compliance would involve rising marginal costs especially since most regulated entities are spread throughout the country and effective enforcement requires employees to travel to them.

Mr. AVALOS. Okay. And, now, Mr. Butler, do you have something that you could add to that?

Mr. BUTLER. Well, I, like the Under Secretary, agree that, you know, we are better served from an industry standpoint to try to have compliance—deterrence if you will—have sensible regulations where people know the rules of the game. It would be a malaise if we were playing basketball and didn't have any rules and didn't have any referees, so I understand that.

I understand the cost of prosecution, and we are trying to not have to prosecute as much. I think the money is better spent trying to educate and conduct oversight, our oversight in the field. So I agree with you exactly. Getting a hundred percent compliance would probably be like getting everybody not to speed on the highway. That's a very difficult situation.

We would love to get up around 90 percent, and we hope that we can do that, because it actually saves money and it helps the industry as a whole, all people in the industry, every facet of the livestock industry and the poultry industry. But, if I might, some of our lower compliances are on the poultry side, because we don't have full administrative authority.

#### INDUSTRY COMPLIANCE

Mr. BISHOP. Mr. Butler, don't you think that the American people really deserve to have full compliance with those rules and regulations? And I know often we fall short of perfection, but I think that was some great educator was noted for saying that failure is not a sin. Low aim is.

You know, failure to reach a goal is not the calamity, but having no goal to reach. And it seems to me that we ought to be trying to get as close to that hundred percent compliance as we can, and I was just trying to see if you knew what it would take to get there. You say the 500 would get you to 84 percent compliance.

Mr. BUTLER. I will try to get with my people and come up with that number.

Mr. BISHOP. Thank you.

Mr. KINGSTON. Mrs. Emerson.

Mrs. EMERSON. Thank you, Mr. Chairman.

#### PUBLIC COMMENTS ON GIPSA'S ECONOMIC ANALYSIS

Under Secretary Avalos, let me ask a follow-up question, because I don't think I was clear enough.

I just asked a quick question on the previous GIPSA thing. Are you all going to have a public comment period on the economic analysis that you all have done?

Mr. AVALOS. No.

Mrs. EMERSON. No? Okay. Thanks.

#### ANIMAL TRACEABILITY PROGRAM

Now, let me switch over to NAIS, if I could. And you are very lucky that you weren't here during the previous experience with it, but you all are asking for nearly \$9 million of an increase for animal disease traceability, which used to be NAIS or Animal ID, or whatever you wanted to call it. And there's quite a troubled history with this program, and there was little buy-in, if any, really from the livestock producers whom I represent. And I understand this spring you all are going to propose a rule on traceability, which will include dates for phased-in mandatory adoption.

So if I remember correctly, it was when TOP turned to a mandatory system that the past Administration was confronted with most of the producer opposition, at least in my district, and everything went crazy at that time. So I have three questions I would like to ask about this.

Number one, why are you all so confident that you are going to avoid the same objections that the NAIS plan experience? Number two, APHIS's implementation plan expects to begin enforcing identification collection requirements in 2012, early in 2012. Has the Department identified exactly what burden these requirements will place on our producers? And, third, the implementation plan dissipates compliance levels for cattle identification to be near 80 percent shortly after the reg goes into effect and exceed 90 percent within the first year.

Personally, I think that's overly optimistic. We probably are at about 37 percent registration with the old rule, and that was after six years and \$142 Million. So if you could answer those, I would appreciate it.

Mr. AVALOS. Congresswoman, I have heard about the past National Animal Identification System—NAIS. I heard about it and I hear about it. I heard about it in the countryside. Anyway, first I want to state for the record that we are so fortunate, this country, that we have the largest, the most diverse livestock industry in the world, because that brings with it many challenges and many issues, and many opportunities.

We have a brand new, well, we have a different approach. We are looking at this approach of traceability totally different. The previous approach was a mandate with the top down, very little input if any from producers, from States and Tribes. So what we did, immediately, we reached out to the producers. We reached out to the Tribes, reached out to the States. We reached for the input from them.

In fact, we had the first listening session in your State. And with the work and the input from the States and the producer organizations, the Tribes, we came up with standards, standards that everyone has to meet. But we are also offering flexibility. Every State, every Tribe can meet those standards in the way it works for them, and I think that's very important. I think that's where

we're getting the buy-in. And I'll admit that the cattle industry did not like traceability. The problem has been the cattle industry, not only in your State, but all over the country, but for good reason.

I come from a cattle state. I come from the West. I understand the cattle industry, and it's different, because you have to identify each animal. You don't identify a lot. You don't identify a pen. So it is a little bit more difficult than some of the big ranches in the West. It is really difficult to register them. It is a task to register and identify these animals.

So, anyway, having said that and trying to answer your questions, as far as determining the burden on the producers, I think the buy-in is already there, because they understand from their state, and I understand sometimes a producer doesn't agree with a State vet. But we also have input, and we have got a lot of input from producer organizations.

Now, to get to the cattle and the compliance of 90 percent, on the cattle side, we are going to identify the mature animals first, because they were the high risk animals. And until we reach that level to be maybe 70 percent, is the targeted amount, then we are going to phase in the feeder cattle. And it is not until we start phasing in the feeder cattle that we see that we can reach 80-90 percent compliance in the cattle sector.

So I hope that answered the question and maybe explains it.

Mrs. EMERSON. Thank you very much. Thank you.

I may submit a follow-up question for the record as well as some others, Mr. Chairman, but I have to leave.

Thank you.

Mr. KINGSTON. Thank you.

Mr. Farr.

Mr. FARR. Thank you, Mr. Chairman, for having the hearing and going this many rounds.

#### REGULATORY REQUIREMENT FOR SHIPMENT PLANTS

I have a lot of questions. I will submit many to the record, but I just want to ask one question, because it seems to me we are stepping on our message. And it has to deal with APHIS' requirement for rules for shipping plants from California and other Western states that have sudden Oak Death Syndrome problems, because USDA mandated the safeguards that ensure that these plants are free of disease.

But now you are requiring the shippers, California Nurseries, for plants—that there are certain plants they are shipping—to notify the receiving state the plants are arriving. So the question here, I mean it's tough on the industry. You are saying do all these additional protocols, which are expensive, and then you can ship.

But then you are also saying beware state, or beware buyer, this is coming from an infested state or infested nursery. And it just seems to me the road to confidence in our own rules to ensure a plant's safety doesn't mean that they are safe. And is it signaling that APHIS is going to require advance notification for other pest infections?

Mr. AVALOS. Congressman, I am going to defer to Administrator Cindy Smith.

Ms. SMITH. I really appreciate the opportunity to respond to this, because we appreciate the regulatory burden that we create in the government as we try to protect agriculture.

With this particular requirement, we have done a couple of things. We have changed our approach to reduce which plants, which hosts to sudden oak death to *P. Ramorum*, that the shippers will have to make notification on from 50 plants down to 5. So what we have done is really reduced that burden very dramatically by focusing on the five plants that we think will contain about 90 percent of the risk.

We have also reduced the areas that will have to meet with these requirements—fewer counties and parts of counties—so we have reduced it in that way. The other thing I would say is that—

Mr. FARR. Is it affecting price?

Ms. SMITH. Well, what I would point out related to that is we are not aware that it is affecting price. I don't have that information, but what I would say is we are allowing these plants to be shipped before we get the test results back to see if they are testing positive for *P. Ramorum* in order to reduce the regulatory burden and keep commerce moving.

In the event though that these plants were to test positive after they were shipped and went off to a state and then were distributed out of a nursery, those shippers would incur a much greater amount of cost in terms of trying to track down and do tracebacks of their plants. So while it does seem like a burdensome process, we do think that it will also actually be saving money for the shippers, if it did turn out that their test results turned out to be positive.

Mr. FARR. And do you think, sort of, it sounds like it is a pilot in a sense? I mean getting it down to this kind of a style of management. Is this going to affect shipping of other infected plants?

Ms. SMITH. I think that will be determined by what it is we are testing for and how long it takes to get those test results. And then, of course, we always try to factor in what our regulatory requirements are, how much of an impact they are going to make.

#### APHIS' REGULATORY ENFORCEMENT

Mr. FARR. Well, I can see a lot of interstate battles going on. I mean, you know, California and Florida are always competing on oranges. We both grow, and they all want the industry to grow. But the minute one has a problem, it's to the glee of the other. Because all of a sudden, you know, California has got a problem, and we in Florida don't, or vice versa, and we can get more. You know, we dominate the market.

So I think these sort of trade wars that go on all the time. We have to be careful where government might be creating a problem that isn't there. I mean I can see why you want to do it, but I also think if indeed your protocols that you spend a lot of time and require growers and handlers to fall on—if they follow those protocols. I don't know why we need to have the scarlet A written on the plant.

Ms. SMITH. I would say that we completely appreciate what looks like competing interests from different States that grow the same commodities. And I think our regulatory enforcement activities

really are geared at trying to reduce any additional burden another State might want to put on, say, a State like California or Oregon that has this kind of an issue. So we really are trying to reduce the regulatory burden as much as we can, and try to prevent battles between the states by making sure we are focused on science and putting the best methods in place.

Mr. FARR. Well, we will hear from the industry if you are not, but it seems you are sending the message that you can't trust our protocols, because even after you follow them, we are still going to—we are going to brand you. And going there I can understand on a lot of liability issues, but, boy, it is also a question of whether what we are telling people to do to prevent catching the disease is going to be to their liability, so, handle it carefully.

Ms. SMITH. Okay.

#### PUBLIC COMMENTS ON GIPSA'S ECONOMIC ANALYSIS

Mr. KINGSTON. Mr. Under Secretary, you use the word “partnership” and “reaching out” and in your own description taking a view from the farmland to Washington, instead of in reverse. But it seems inconsistent the way you answered Mrs. Emerson's question about the GIPSA economic analysis extended comment period, that it would not be open. And, you know, everything you have said, that you support transparency, partnerships and discussion, it takes a lot of constituent complaints to get 115 congressmen to write a letter to any secretary on any issue.

And, I can say this as a member of this committee. We have had complaints on the GIPSA rulemaking process on this thing probably as much as I had ever seen on anything. And so I don't understand why you are not doing that.

#### GIPSA'S RULEMAKING PROCESS

Mr. AVALOS. Mr. Chairman, we have followed the standard rule-making process from the very beginning. We have been accused of overextending our authority. We received over 60,000 comments. So there is no doubt it is determined that we have stirred up the countryside, and for good reason. This is a major change to a law that has been in place since 1921. And, if I could, I would like to just make a general statement that would come from my thoughts for the countryside.

You know, this proposed rule, like I said, it brings a major change to the Packers and Stockyards Act. And it is normal to resist change. It is normal to be concerned about how it is going to impact someone's livelihood, how it is going to impact the day-to-day operation of the farm or the ranch, how it is going to impact the bottom line, the future of the farmer ranch and the future for their kids.

Like I said, we received over 60,000 comments, and I want to go on record thanking the people that took the time to prepare and submit these comments, because I know it took a commitment. It took an expense to do that, and this is very important, and we take those comments very, very seriously.

Mr. KINGSTON. Well, what the complaint from the agriculture authorizers are—and as you know, this is a fairly bipartisan culture in Ag politics, if you will. But what the complaint is, is that during



the Farm Bill there were hearings on this and there was discussion. And they wanted you to fill in the blanks, but you went beyond the blanks, and that's where the rub is. And, you know, there seems to be a trend of being very cautious about the bureaucracy overreaching and setting up, as you are talking about, profound changes, which probably should come back to the U.S. Congress rather than this potential authority. Because it appears to me that getting back to what Mr. Butler said is that compliance is better than lawsuits, cheaper than lawsuits.

Working together is better than working from an adversarial standpoint. And what I envision is on the path that it seems to be on right now, we're going to have some real clashes between the Executive Branch and the Legislative Branch if you come out with a rule that appears to overreach and overstep, particularly in a process that hasn't been as transparent as our constituents wanted to be. And, also because of that, you know, profound changes, even though you have complied with the law, maybe the spirit you haven't complied with.

And you know how it takes a while to stir up farm folks, but once they are stirred up, they lock in on a position and you do have them stirred up.

Mr. AVALOS. I understand, Mr. Chairman, and I appreciate your comments.

Mr. KINGSTON. Well, we opened this up a little bit more. What can we get you to do? We never authorize on appropriations, as Mr. Farr well knows, of course. But there is some temptation here.

Mr. AVALOS. At this time I cannot tell you that we will open up the cost benefit analysis for comment, but I will take your request. I will take that back to my office and back to the Secretary.

Mr. KINGSTON. I believe that, again, this is not me alone talking, but there is a strong bipartisan movement here that we need this process to be more open than the economic analysis to be maybe more third-partyish, you know, kind of rubber-stamped. So we do have concerns, and I will look forward to working with you on this process.

Mr. AVALOS. Yes, sir, Mr. Chairman.

Mr. KINGSTON. And, Mr. Farr.

Mr. FARR. No further questions.

Mr. KINGSTON. Well, with that, we certainly appreciate you being here, and sorry about the New Mexico photos, but we will get that rectified. Thanks a lot.

Mr. AVALOS. Thank you, Mr. Chairman, Congressman Farr.

Mr. KINGSTON. This hearing is closed.

UNITED STATES DEPARTMENT OF AGRICULTURE  
MARKETING AND REGULATORY PROGRAMS - QUESTIONS FOR THE RECORD  
MARCH 10, 2011

QUESTIONS SUBMITTED BY MR. KINGSTON

RESOURCES FOR KNOW YOUR FARMER, KNOW YOUR FOOD

Mr. Kingston: Mr. Avalos, after reading your biography, I can tell that you have had a successful career in the area of agriculture marketing, especially as it relates to locally grown products. Based upon your budget and Ms. Pegg's testimony, USDA is shifting more attention and resources on farmer's markets and the local agricultural marketing efforts. Can you help me get a better understanding of USDA's Return on Investment when it comes to resources spent on Know Your Farmer, Know Your Food and the numerous investments in Farmer's Markets.

Response: Know Your Farmer, Know Your Food is not a new investment; it is a USDA-wide effort to focus current programs toward a common goal of developing new economic opportunities for farm income by better connecting consumers with local producers and supporting healthy eating. Nor are we redirecting resources; USDA has programs all across the Department that can cultivate local capacity to strengthen local and regional food systems. This effort does not create a new slate of programs; we just need to make sure that the ones we have work better. We believe consumers that are aware and can make healthy decisions while supporting the local economy will lead to healthier communities and a healthier America that's the ultimate return on investment. Investing in regional food systems is a win for farmer income and a win for consumers.

Through technical assistance and grants, the Agricultural Marketing Service (AMS) supports this effort to develop local and regional food systems that stimulate economic growth in rural economies, create jobs, give farmers more markets for their products, and provide people with access to a variety of foods.

AMS' Transportation and Market Development program, currently funded at \$5.8 million, has experts who provide technical assistance to help start up new farmers markets, assist mature farmers markets in transitioning to permanent facilities, help develop regional distribution and collection facilities, and evaluate rural and agricultural transportation. Agency marketing specialists and engineers conduct site assessment and design support, provide consumer profiles of local market trade areas to market managers and planners, and examine opportunities for technology improvements in permanent food market and storage facilities. Market development specialists may also review equipment specifications and offer advice on facilities management, energy efficiency, design adjustments and postharvest handling. The program conducts studies to address marketing hurdles or help identify consumer preferences and demographics. AMS has developed handbooks and guidance documents on how to create new direct market outlets such as CSAs (Community Supported Agriculture) and farmers markets. For example, AMS leadership assisted community members in developing the Lansing, Michigan City Market, which involved vacating an existing market site, relocating and building a new market, a challenging site, competing permanent and seasonal vendors, a tight schedule and a limited budget. AMS specialists acted as an independent facilitator to build consensus among participants with diverse

interests and agendas. AMS experts also provided guidance on the design of the Edcouch, Texas market which will serve a region that has the largest concentration of Hispanic farmers in the country.

We have requested an increase of \$1.9 million to capitalize on our expertise of marketing systems to stimulate the development of regional food hubs (centrally located facilities for locally or regionally produced food products) and marketing outlets for locally and regionally grown food where they are most needed.

AMS also administers grants programs that support Know Your Farmer, Know Your Food: matching grants to state agencies through the Federal-State Marketing Improvement Program (FSMIP), Farmers Market Promotion Program (FMPP) and Specialty Crop Block Grants (SCBG) programs.

**FSMIP** - FSMIP grants are awarded to State Departments of Agriculture and other State agencies to explore barriers, challenges, and opportunities in marketing, transporting, and distributing food and forest products on a matching basis. Current annual appropriations at \$1.334 million leverage state funding for about 25 projects a year. FSMIP grants offer nearly endless possibilities for projects that support this initiative, such as building an online marketing tool or finding better ways to collect and distribute compost in a community. In FY 2010, AMS received grant applications for \$4 million in federal funding for 59 projects across 31 states and U.S. territories. For FY 2012, we propose to expand this program by \$1.3 million to increase the availability of grants funds with an emphasis on value-added projects that are of practical use to the agricultural industry and spotlight local and regional food marketing.

**FMPP** - FMPP is authorized by the Farmer-to-Consumer Direct Marketing Act of 1976 and funded by the 2008 Farm Bill. FMPP grants help communities support local food systems through direct marketing such as farmers markets, roadside stands, community-supported agriculture, and agri-tourism. These are competitive grants of up to \$100,000 awarded to non-profit organizations, local governments, tribes, businesses and others such as economic development corporations, agricultural cooperatives, or regional farmers' market authorities. Priority is given to projects that increase access to local foods by low-income consumers, develop training and educational programs for new direct farm marketers, or provide professional training for market management.

**SCBG** - Specialty crop grants, also funded by the 2008 Farm Bill, are awarded to state agencies, who often re-grant to local organizations, for projects that enhance the competitiveness of specialty crops (fruits, vegetables, tree nuts, horticulture, and flowers). Many projects involve grant money to market locally-grown foods--"buy local" campaigns--and establishing premium markets for organic produce.

Mr. Kingston: Now I know some obvious benefits of locally grown food, but this Committee needs to make decisions on which programs or initiatives yield the greatest results. So what does this business model tell us?

Response: Developing new economic opportunities for farm income through local market outlets reduces costs and improves profitability. American farmers feed our nation and the world, but they are all local to

somewhere. USDA wants to foster the viability and growth of small and mid-size farms and ranches, and we want to create new opportunities for farmers and ranchers by promoting locally produced foods. We also want to build the infrastructure necessary to support a local food system, and we need local partners to do that. Local and regional food systems mean fresh food, vibrant communities, a strong connection between cities and the countryside, and support for this and the next generation of farmers and ranchers. Better access to local, nutritious foods allows consumers, especially low-income Americans, seniors, etc., to make healthy eating decisions while supporting the local economy, leading to healthier communities and a healthier America.

#### MICROBIOLOGICAL DATA PROGRAM

Mr. Kingston: As we work to eliminate duplication in government programs and services, especially in the area of food safety, this Subcommittee will look at areas within USDA and FDA where we can find efficiencies. Can you explain to the Subcommittee what activities are conducted by AMS' Microbiological Data Program (MDP) and how the MDP differs from those microbiological activities at DHHS' FDA and USDA's FSIS as well as any other part of the Federal and State food safety network?

Response: AMS' Microbiological Data Program (MDP) activities differ from, but complement FDA and FSIS food safety programs and their work with the Federal and State food safety network. FSIS is responsible for meat and poultry food safety. In that capacity, FSIS tests meat, poultry, and egg products, but does not test fresh produce. FDA is responsible for the safety of all other foods. FDA is developing criteria for food production critical control points to minimize contamination. FDA and the Centers for Disease Control and Prevention (CDC) investigate outbreaks of illness associated with contaminated foods.

MDP does not regulate food safety but coordinates with those agencies to support food safety efforts while carrying out AMS' mission to facilitate the marketing of domestic agricultural products. As you know, consumer concerns over foodborne pathogens can severely depress demand. MDP conducts a statistically-based nationwide sampling and testing program to monitor selected domestic and imported fresh fruits and vegetables for foodborne pathogens. To use resources efficiently and avoid duplication of effort, MDP focuses its monitoring on produce commodities that are often implicated in foodborne outbreaks and selects the commodities to be tested with FDA's advice. MDP reports to FDA on all findings where pathogens are found in the foods tested, provides sampling support for laboratories working on method development, and bacterial isolates needed for research and evaluation of contamination trends.

MDP establishes standardized protocols and conducts sampling and testing operations through cooperating State agency partnerships. The Program maintains a very close working relationship with FDA and the State agencies, including regular and frequent information exchange. MDP relies on FDA scientists and expertise for updates on new methods, proficiency testing for laboratories, and protocols for data reporting.

MDP tests produce for specific food-borne pathogens, such as *Salmonella*, pathogenic *E. coli* strains and *E. coli* O157:H7. The systematic approach to data gathering by MDP allows for comparison of analytical results across laboratories and evaluation of trends in microbial contamination of

these commodities throughout the years. MDP provides FDA and CDC with information needed for outbreak investigations. CDC has used MDP data to connect human illnesses to contaminated foods and when necessary, has requested MDP's help to sample and test food products suspected of being the source of outbreaks.

MDP runs a statistically-driven national level sampling plan based on per capita consumption, marketplace availability, and product origin. Participating State laboratories analyze fresh produce samples using rapid, sensitive, and current technologies from detection of pathogens to isolation and identification. MDP also tests the pathogen isolates for additional characteristics useful in epidemiological and outbreak investigations, including DNA fingerprinting, serotyping and resistance to antimicrobial compounds used in animal and human health.

MDP data on isolates fingerprinting results are uploaded to CDC's PulseNet database; MDP isolates data on antimicrobial resistance are uploaded to CDC's National Antimicrobial Resistance Monitoring System database for public health policy decisions on use of antibiotics. MDP uses a state-of-art, secure data collection, data entry, storage, and retrieval system that covers sampling activities through analytical results for reporting. FDA and MDP are also working together to upload MDP data onto FDA's Reportable Food Registry for use by industry and the public.

#### NATIONAL ORGANIC PROGRAM

Mr. Kingston: AMS is proposing a nearly \$3 million (43 percent) increase for the National Organic Program to improve compliance with program regulations and to enhance the integrity of the organic label. Overall, USDA proposes about \$10 million for the National Organic Program for FY 2012.

Some of the proposed increase in funding will be used to review and modify NOP regulations. Please explain in detail the agency's plan to conduct the review and undertake a rule-making, including the agency's plans to hire new staff.

Response: In a March 2010 audit, the Office of Inspector General (OIG) found that the NOP needs to more effectively identify inconsistent operating practices and clarify program requirements. The OIG specifically noted that recommendations from the National Organic Standards Board (NOSB) had not been implemented concerning expiration dates on certificates.

AMS is planning to use the NOP budget increase to improve organic regulations and strengthen enforcement capacity to achieve greater compliance with the regulations. The NOP plans to accelerate the review and amendment, as required, of program standards and regulations to reflect industry and consumer expectations through a transparent and participatory process. NOP will initiate rulemaking on NOSB recommendations including mushrooms, greenhouse production, hydroponics apiculture standards, pet food standards, and aquaculture standards. The establishment of organic standards in these areas will provide regulatory certainty and market opportunities for the organic food industry. NOP also plans to issue additional guidance on the NOSB recommendations regarding the commercial availability of seeds; the use of packaging materials; livestock feed, feed additives and feed supplements; grower groups; and biodiversity. Should resources become available, the NOP plans to hire additional staff to accomplish these tasks.

The program is conducting a full review of the entire NOP regulation to determine whether regulations should be continued without change, amended, or rescinded, consistent with the objectives of applicable statutes, to minimize the impacts on small entities.

Mr. Kingston: Some of the proposed increase in funding will be used to develop and implement equivalency agreements with foreign governments. How many staff is AMS proposing to hire to develop these agreements? How much international travel is required of staff to develop an agreement? Please be specific. How many of the agency's staff is currently dedicated to this function?

Response: Organic markets are expanding in many foreign countries and AMS has received numerous requests for equivalency agreements. The development of an equivalency agreement requires an analysis of the organic standards, accreditation system, enforcement provisions, and oversight of the organic food industry within the respective country. On-site assessments of the foreign government's organic control system are necessary to ensure that the integrity of the organic label is maintained for imported organic products. Each on-site assessment involves a two-person AMS team and lasts from one to two weeks depending upon the scope of the equivalency arrangement. For example, the U.S.-Canada organic equivalency arrangement involves annual international travel for a two-person AMS team.

There are three NOP employees currently involved in equivalency arrangements on a part-time basis. The FY 2012 budget would allow NOP to hire additional staff to conduct comparisons of organic standards, conduct on-site assessments, and oversee the development and maintenance of equivalency agreements.

Mr. Kingston: Please provide the Committee with the Department's position on the development of a user fee to fund the organic certification program, especially in light of OMB's Circular A-25. As stated under the general policy of the Circular: A user charge, as described below, will be assessed against each identifiable recipient for special benefits derived from Federal activities beyond those received by the general public. When the imposition of user charges is prohibited or restricted by existing law, agencies will review activities periodically and recommend legislative changes when appropriate.

Response: AMS' Audit Review and Compliance (ARC) Program conducts audits of certifying agents accredited under the NOP, including desk audits and on-site audits associated with both accreditation and renewal decisions. ARC assesses fees for the costs associated with conducting audits for accreditation services. AMS does not charge user fees for NOP activities that benefit the general public such as standards development, compliance and enforcement, equivalency negotiations, and oversight activities regarding certifying agents.

Mr. Kingston: For the record, please provide a list of all of USDA's programs that support organics. Please include the program and funding levels for fiscal years 2008 through 2010 (actual), 2011 (estimated) and 2012 proposed.

Response: A department wide crosscut is provided for the record.

[The information follows:]

**UNITED STATES DEPARTMENT OF AGRICULTURE**

**Organic Agriculture**  
(Dollars in Thousands)

<u>Agency, Program</u>	<u>2008</u> <u>Actual</u>	<u>2009</u> <u>Actual</u>	<u>2010</u> <u>Actual</u>	<u>2011</u> <u>Estimate</u>	<u>2012</u> <u>Budget</u>
Agricultural Marketing Service:					
Agricultural Management Assistance Organic					
Certification Cost Share.....	\$1,500	\$1,500	\$1,500	\$1,500	\$1,500
National Organic Certification Cost Share Program..	0	8,915	4,829	4,500	2,043
Total Organic Certification Cost Share.....	1,500	10,415	6,329	6,000	3,543
National Organic Program.....	3,250	3,884	6,761	6,967	9,896
Organic Reporting - Market News.....	0	651	1,159	954	1,082
Total, AMS.....	4,750	14,950	14,249	13,921	14,521
Agricultural Research Service.....	16,827	16,868	17,235	17,235	13,401
Economic Research Service.....	777	1,114	1,638	1,638	1,638
National Agricultural Statistics Service.....	0	1,000	250	250	250
National Institute of Food and Agriculture:					
Integrated Organic Program					
Organic Ag. Research and Extension Initiative.....	3,000	18,000	20,000	20,000	20,000
Organic Transitions Research.....	1,842	1,842	5,000	5,000	5,000
Total, NIFA.....	4,842	19,842	25,000	25,000	25,000
Natural Resources Conservation Service:					
EQIP Organic Initiative.....	0	36,338	23,834	50,000	50,000
Conservation Stewardship Program.....	0	0	2,967	3,000	3,000
Total, NRCS.....	0	36,338	26,801	53,000	53,000
Office of the Chief Economist.....	31	30	31	31	31
Risk Management Agency.....	1,426	932	2,005	0	0
Total .....	28,653	91,074	87,209	111,075	107,841

NEW AMS FUNDING AND PROGRAMS FOR FARMERS MARKETS

Mr. Kingston: AMS is proposing a nearly \$2 million increase to create two new programs, Technical Assistance to Regional Food Hubs to support Agriculture of the Middle and Technical Assistance to Beginning and Transitioning Farmers Markets.

a) What sort of technical assistance will be provided under these programs? Who will receive the technical assistance?

Response: AMS plans to develop two new programs that will focus on outlets for local and regional product: Technical Assistance to Regional Food Hubs to Support Agriculture of the Middle; and Technical Assistance to Beginning and Transitioning Farmers Markets. These programs will provide tailored guidance to community planners and market managers. They will promote the development and expansion of regional distribution food hubs that enable small and mid-size farmers to access and participate in commercial and institutional foodservice and retail markets that they currently do not have access to. The agency will utilize the vast amount of data captured and lessons learned from the Farmers Market Promotion Program (FMPP) projects to inform the direction of future research and market development for these new programs.

b) What is the goal of these programs?

Response: These programs are designed to reduce the barriers to local and regional food markets and promote sustainable economic opportunities for small and mid-size farmers.

c) If there has been a 114 percent increase in the number of farmers markets since 2000, what need is AMS seeking to fill?

Response: AMS strives to assist the agriculture community to discover new market outlets in every way possible and continues to explore opportunities to identify additional innovative and cost-effective options that help producers compete effectively. Although considerable work has been completed and a diverse group of projects are currently underway, there remain numerous opportunities for AMS to help small and mid-sized food producers capture a greater percentage of consumer expenditures. AMS will achieve this by identifying and analyzing the benefits and cost-effectiveness of emerging innovative distribution and marketing practices, and providing technical guidance to direct-to-consumer market planners, managers and vendors on how best to meet the needs and preferences of their local consumer population.

d) Is this how USDA should be spending its resources given the budget deficit and our debt?

Response: We believe this is an effective use of scarce resources. In introducing this budget proposal, we are focusing our resources and efforts within this program on those areas which will have the greatest impact in addressing the challenges facing rural America and lay a new foundation for growth and prosperity.

This initiative will expand marketing opportunities for small and medium-sized farmers by linking producers and retail establishments. The additional funding will enable the Agency to foster the growth of food hubs by piloting demonstrations which identify the benefits of these direct-to-



retail partnerships, and by publishing a resource guide for this type of marketing outlet. In addition, AMS will conduct IT improvements that link farmers market information to other sources through increased mapping and Geospatial Information System analysis and use best practices that have been learned through Pacific Coast partnerships to assist farmers markets in the East.

We have made tough decisions on prioritizing resources within this budget submission across the entire mission area. This budget reflects our values and offers common sense solutions to problems we are facing within the domestic agriculture community. It makes critical investments in the American people and in the agricultural economy to set us on a prosperous path as we move forward in the 21st century.

#### PESTICIDE DATA PROGRAM

Mr. Kingston: USDA is proposing a \$1.2 million increase for the Pesticide Data Program to cover the increased costs of USDA cooperators and to test for residues of commodities critical to EPA's Environmental Justice concerns, such as avocados and papayas.

- a) How many individual commodities does the agency sample for pesticide residues each year under this program? How are they selected?

Response: All commodities selected for testing are based on EPA's requests for data to monitor registration-driven changes mandated by the Food Quality Protection Act (FQPA) and to respond to public food safety concerns. During FY 2010, Pesticide Data Protection (PDP) analyzed 22 different commodities during the year in addition to untreated and treated drinking water and groundwater. The 22 commodities were: apples, asparagus, cabbage, cantaloupe, cilantro, cucumbers, grapes, lettuce (conventional and organic), mangoes, oranges, pears, potatoes, spinach, sweet bell peppers, strawberries, sweet corn, sweet potatoes, watermelon, canned beans, tomato paste, oats, and catfish.

- b) How does the agency coordinate with EPA's Office of Pesticide Programs to identify the commodities to be tested?

Response: PDP staff meet at least twice per year with EPA's Office of Pesticide Programs Health Effects Division (HED) staff to discuss program planning, including commodities and pesticides to be tested. HED staff also attends PDP Federal/State meetings with program cooperators to discuss program planning details.

- c) Why is AMS testing drinking water?

Response: The 1996 FQPA directs the Secretary of Agriculture to provide improved data collection of pesticide residues, standardized analytical and data reporting methods, and increased sampling of foods most likely to be consumed by infants and children. Under this law, drinking water is treated like any other food because pesticides present in water contribute to the total exposure to pesticides. EPA uses this data to estimate aggregate pesticide exposure and adjust statistical models.

- d) How much of the proposed increase is to cover the costs of cooperators and how much is for EPA's Environmental Justice

concerns?

Response: All of the proposed increase will be used to cover the costs of State cooperators so that the program can maintain effective levels of testing on commodities of interest, which includes commodities deemed critical to Environmental Justice concerns.

- e) Has the Administration determined that AMS is the most efficient organization to house and conduct the pesticide sampling program for the U.S. government?

Response: Agricultural production methods are part of USDA's mission. In 1991, USDA was charged with designing and implementing a program to collect data on pesticide residues in food, and responsibility for this program was given to AMS, which began operating PDP that May. PDP is a national pesticide residue database program. Through cooperation with State agriculture departments and other Federal agencies, PDP manages the collection, analysis, data entry, and reporting of pesticide residues on agricultural commodities in the U.S. food supply, with an emphasis on those commodities highly consumed by infants and children. In FY 1997, Congress transferred the program to EPA, but transferred it back to AMS in FY 1998. AMS has the necessary infrastructure and legislative authority to work cooperatively with State agricultural agencies to carry out the program effectively.

Conducting PDP within this organization of USDA supports the impartiality of the pesticide residue data for food producers and the scientific community. PDP data support the domestic and international marketing of U.S. food products. AMS has cultivated strong ties with food producers which have been valuable to the growth of this program. PDP data have been used to overcome trade barriers and promote the marketing of U.S. products. Conducting PDP within this organization has also allowed participating States to take leading roles in shaping the program, allowing for impartial collection of data, the ability to use advanced technologies and the international acceptance of PDP data. States participating in PDP have gained expertise that has been applied to their own internal programs.

#### WEB-BASED SUPPLY CHAIN MANAGEMENT SYSTEM

Mr. Kingston: AMS is managing USDA's Web-Based Supply Chain Management System that is eventually supposed to improve the procurement, delivery, and management of hundreds of commodities and millions of tons of food through USDA's domestic and foreign feeding programs. Although most of the funding for the System over the past five or six years has come from Mandatory funds, you have requested a slight decrease on the Discretionary side. The Planned cost for this system is about \$270 Million.

- a) Why have we spent well over \$100 million and the System is not fully operational yet? On top of the delays, OMB just released a score for the system of 2.5 out of 10.

Response: The Web-based Supply Chain Management System (WebSCM) is, as you mentioned, an extraordinarily complex system which is crucial to domestic and foreign food assistance programs across five USDA agencies. We have experienced delays but have been working with OMB to resolve problems that WebSCM encountered. The first stage of system rollout began December 1,

2010, with a phased-in schedule for user access which follows current business processes. The final phase of system implementation occurred April 1. The system is fully operational and available for all users.

The cost for development of WebSCM was \$99.8 million over 5+ years, which was funded from Section 32. The lifecycle cost of the system includes both development and ongoing system operating and maintenance costs. The FY 2012 budget proposes to continue to fund operating costs for WebSCM from Section 32.

b) Can you explain USDA's plan to get this system fully operational and reduce or eliminate the continued risks with this large investment?

Response: Based on conclusions reached by USDA and OMB following official Techstat reviews of WebSCM, USDA adopted a phased implementation approach for the system in March 2010, which more closely matches the commodity purchase operational cycle and greatly improved OMB's prognosis for system success. WebSCM has been phased in over the last several months with key portions opened to users on June 30 and December 1, 2010, and February 1, 2011. The final phase of implementation occurred April 1, 2011. The system is fully operational for all USDA agencies involved in food purchases. Phased-in implementation reduced the risk inherent in system conversion by enabling USDA to observe and correct issues as they arose.

c) Where is the accountability for the delays?

Response: USDA has held the contractor accountable for system implementation delays and development miscues. The contractor was required to absorb some of the costs and provide staff support to help USDA meet the revised implementation dates. In addition, the contract was re-negotiated with an option for USDA to terminate the contract. To avoid recurrence, USDA has been closely monitoring and evaluating results at each stage of the implementation process.

#### PESTICIDE DATA PROGRAM

Mr. Kingston: Provide a table for the record showing the funding for the Pesticide Data Program since fiscal year 2005 to include estimates for fiscal years 2011 and 2012. Please include both direct and reprogrammed appropriations, if applicable.

Response: The information is submitted for the record. No appropriated funds have been reprogrammed into the Pesticide Data Program.

[The information follows:]

PESTICIDE DATA PROGRAM  
(Dollars in Thousands)

<u>Fiscal Year</u>	<u>Budget</u>
2005 <sup>1/</sup>	\$14,529
2006 <sup>1/</sup>	15,245
2007 <sup>1/</sup>	15,259
2008 <sup>1/</sup>	15,188
2009	15,238
2010	15,908
2011 est.	15,360
2012 est.	16,568

<sup>1/</sup> Net of Rescission

Mr. Kingston: Please provide a complete list of the states that are participating in the Pesticide Data Program and the amount of federal funds spent in each state for fiscal years 2005 through 2012. If the Department spent additional funds for the testing of water, please include a list of those states and the amount spent per state for this same period.

Response: There are fourteen States participating in the Pesticide Data Program.

[The information follows:]

Pesticide Data Program  
Obligations in Participating States  
(Dollars in Thousands)

State	FY 2005 Actual	FY 2006 Actual	FY 2007 Actual	FY 2008 Actual	FY 2009 Actual	FY 2010 Actual	FY 2011 <sup>5/</sup> Estimate	FY 2012 <sup>7/</sup> Estimate
Arizona	0	0	0	0	0	0	0	\$350
California	\$2,374	\$2,555	\$2,540	\$2,490	\$2,600	\$2,600	\$2,580	2,652
Colorado	90	90	70	69	440	390	290	398
Florida	1,265	1,265	1,240	1,350	1,195	1,421	1,250	1,449
Maryland	90	95	92	85	93	85	85	87
Michigan	1,255	1,260	1,245	1,245	1,270	1,260	1,260	1,285
New York	1,468	1,470	1,575	1,655	1,625	2,075	1,625	1,662
North Carolina <sup>6/</sup>	0	0	0	0	0	26	40	497
Ohio	980	990	1,105	995	995	1,193	1,000	1,015
Texas	1,000	1,000	1,000	1,200	1,160	1,160	1,160	1,183
Washington	990	990	1,080	1,060	1,080	1,000	1,000	1,020
Wisconsin	90	96	90	90	98	98	98	98
SUBTOTAL, FOODS	9,602	9,811	10,037	10,239	10,556	11,308	10,388	11,696
Other, foods <sup>1/</sup>	108	684	92	101	224	86	79	662
WATER								
Colorado	\$444	\$335	\$345	\$321	0	0	0	0
Minnesota <sup>2</sup>	200	250	430	395	\$320	\$345	\$345	\$352
Montana	310	310	314	399	360	365	365	372
New York	300	300	195	195	200	200	200	200
SUBTOTAL, WATER	1,254	1,195	1,284	1,310	880	910	910	924
Other, water <sup>3/</sup>	85	88	157	75	78	82	0	0
Federal Expenditures <sup>4/</sup>	3,513	3,383	3,563	3,463	3,789	3,522	3,983	3,286
TOTAL	14,562	15,161	15,133	15,188	15,527	15,908	15,360	16,568

(1) FYs 2005 through 2012 include expenditures for contractual services with the private sector for laboratory chemical supplies and quality assurance services. Expenditures also include the purchase of laboratory equipment for State laboratories in the amount of \$599,874 in FY 2006 and \$164,569 in FY 2009. No equipment was purchased in FY 2005, FY 2007, FY 2008, FY 2010 and no purchases are planned for FY 2011. In FY 2012, PDP plans to purchase laboratory equipment for two States.

(2) Minnesota allocations: FYs 2005 and 2006 were provided for testing pesticides in bottled water. FYs 2007 through 2012 were provided for testing pesticides in ground water.

(3) FYs 2005 through 2010 include contracts with Great Lakes Environmental Center (GLEC) and Ultra to manage water field sampling operations and for quality assurance services respectively. As of FY 2011, Minnesota took over the work done by GLEC in addition to the water testing services they provide.

(4) Federal expenditures for FY 2005 include \$560,000 to GIPSA for grains; \$516,000 to the AMS Laboratory for pork and dairy testing; \$20,000 to FSIS for pork sampling; and \$30,000 to NASS. FY 2006 includes \$545,000 to GIPSA; \$580,466 to the AMS Laboratory; \$40,000 to FSIS; and \$30,000 to NASS. FY 2007 includes \$515,000 to GIPSA; \$30,000 to NASS; and \$550,000 to

the AMS Laboratory. FY 2008 includes \$415,000 to GIPSA, \$30,000 to NASS, \$525,000 to the AMS Laboratory. FY 2009 includes \$30,000 to NASS, \$21,000 to FSIS, \$500,000 to GIPSA and \$400,000 to the AMS Laboratory. FY 2010 includes \$40,000 for NASS, \$288,000 for GIPSA and \$100,000 for the AMS laboratory.

(5) Operating estimates based on the Continuing Resolution.

(6) North Carolina joined PDP in late FY 2010 as a sampling partner only.

(7) If PDP funding is increased as requested in 2012, PDP will add testing in North Carolina and Arizona, and will sample and test additional imports crossing the southern U.S. border. Laboratory equipment will be purchased for Arizona and North Carolina and a contract with the private sector will be issued for scientific support services.

Mr. Kingston: Were any agricultural use pesticides reregistered using data gathered by the Pesticide Data Program in fiscal year 2010? Which ones?

Response: The Environmental Protection Agency (EPA) makes pesticide reregistration decisions. PDP is the major data provider for dietary risk assessments, which play a significant role in EPA re-registration decisions. In FY 2010, AMS provided data to support EPA's ongoing reregistration activities including cumulative risk assessments for carbamates, chloroacetanilides, and triazoles. AMS also provided data for the Registration Eligibility Decision for tetramethrin (i.e. a safer/less toxic pesticide) which replaced aldicarb and carbofuran, two pesticides that were cancelled by EPA based on PDP data. PDP continued to provide portions of samples of apples, oranges, and pears collected in FY 2010 to an EPA laboratory for specialized testing of formetanate, the 10th N-methyl carbamate to be included in the carbamate cumulative assessment. Additionally, PDP data were used in the revision or establishment of new crop tolerances for a number of additional less toxic pesticides including: acetamiprid, chlorantraniliprole, clothianidin, fenpyroximate, hexythiazox, novaluron, pyraclostrobin, pyriproxyfen, and spiromesifen. PDP coordinates testing plans with EPA to ensure that PDP will generate residue data needed to support upcoming EPA assessments.

#### PESTICIDE RECORDKEEPING PROGRAM

Mr. Kingston: Please update the table that appears in last year's hearing record showing states in the pesticide recordkeeping program, federal funds, and state funds for fiscal year 2010.

Response: The information is submitted for the record.

[The information follows:]

Pesticide Recordkeeping Program  
FY 2010

State	Federal Funding	State Funding
Alabama .....	\$40,000	\$2,000
Alaska .....	16,846	887
Arkansas .....	69,825	3,675
Colorado .....	52,285	2,751
Delaware .....	25,000	7,524
Florida .....	14,725	800
Georgia .....	57,050	3,410
Idaho .....	61,001	3,052
Illinois .....	39,429	2,075
Indiana .....	5,232	378
Iowa .....	55,874	2,940
Kansas .....	76,000	4,000
Kentucky .....	70,386	3,614
Louisiana .....	68,930	3,628
Massachusetts .....	10,000	1,000
Michigan .....	63,355	3,082
Minnesota .....	47,027	3,292
Mississippi .....	25,600	4,050
Montana .....	66,414	3,321
Nevada .....	25,432	2,516
New Jersey .....	15,000	750
New Mexico .....	58,688	3,088
North Carolina .....	65,800	3,800
Ohio .....	21,719	1,144
Oklahoma .....	65,000	3,250
Oregon .....	55,364	2,729
South Carolina .....	53,720	2,827
South Dakota .....	36,776	1,936
Tennessee .....	30,848	2,427
Utah .....	30,000	1,243
Virginia .....	32,301	1,700
Virginia Tech .....	33,081	19,440
West Virginia .....	26,503	1,739
Wisconsin .....	31,320	1,604
Wyoming .....	16,506	1,000
Subtotal, State	1,463,037	106,672
Federal Administrative Expenditures .....	80,000	0
Cooperative Educational Funding .....	94,575	0
Subtotal, Direct .....	1,637,612	106,672
Federal Administration ....	1,334,275	0
Total	\$2,971,887	\$106,672

## PESTICIDE DATA

Mr. Kingston: Do AMS, FSIS, EPA, and FDA exchange pesticide data on a regular basis?

Response: Yes, AMS data are provided on a continual basis to EPA's Health Effects Division and Office of Water. PDP data on presumptive tolerance violations are provided on a quarterly basis to FDA which uses the information to plan future surveillance/monitoring programs. PDP also exchanges information with FSIS on testing methodologies for meat and fish products and provides data on meat samples on a semi-annual basis, or more frequently when requested. USDA does not receive pesticide data from FDA but does upload PDP data to the Electronic Laboratory Exchange Network (e-LEXNET), a database created by FDA to receive data from various government sources.

## PESTICIDE DATA PROGRAM

Mr. Kingston: Please update the Committee on the agency's activities devoted to developing a pesticide data program rapid response capability. Include a status on plans to contract for more outside testing services.

Response: In fiscal year 2010, AMS worked with EPA and the agriculture industry to plan in advance for data collection of pesticides and commodities for which information is quickly needed. To improve response time, AMS needs to expand laboratory capacity and began to work with the State of North Carolina. The requested funding will enable North Carolina to be a full testing partner in FY 2012. AMS is also seeking to add the State of Arizona in FY 2012 to increase sampling of products coming through the border with Mexico.

To reduce costs to our laboratories and speed up analysis of samples, AMS issued a contract with ChemService Inc., to provide pure pesticide standards and prepare standard mixes for our laboratories. PDP also plans to contract out services for scientific support (data review and on-site laboratory reviews) in FY 2012 to help with the additional workload (from the two new States).

Mr. Kingston: Please provide a table that shows spending, by agency, for pesticide use and data collection and analysis to include fiscal year 2010 actuals and fiscal years 2011 and 2012 estimates.

Response: AMS' Pesticide Data Program conducts pesticide data collection and analysis through agreements with State, USDA, and other partners. I will provide the details on spending for the record.

[The information follows:]



**Pesticide Data Program Obligations**  
(Dollars in Thousands)

	FY 2010 Actual	FY 2011 Estimate	FY 2012 Estimate
States <sup>1/</sup>	\$12,218	\$11,377	\$12,620
AMS <sup>2/</sup>	3,194	3,637	2,676
NASS <sup>3/</sup>	40	40	40
GIPSA <sup>4/</sup>	288	227	525
FSIS <sup>5/</sup>	0	0	45
Other <sup>6/</sup>	168	79	662
Total	15,908	15,360	16,568
Pesticide Use, Chemical Use and Fertilizer Applications			
NASS <sup>7/</sup>	8,200	8,200	8,200
Total	24,1088	23,560	24,758

- <sup>1/</sup> Includes 13 cooperating States in FY 2010 and FY 2011: California, Colorado, Florida, Maryland, Michigan, Minnesota, Montana, New York, North Carolina, Ohio, Texas, Washington, and Wisconsin; a 14<sup>th</sup> State will be added in FY 2012 contingent on funding.
- <sup>2/</sup> AMS expenditures include \$100,000, \$351,000 and \$525,000 for the AMS National Science Laboratory in Gastonia, NC in FY 2010, FY 2011 and FY 2012 respectively, for special testing of eggs (3 months of FY 2010 and 9 months in FY 2011) and beef in (FY 2012) that cannot be done by the States.
- <sup>3/</sup> For statistical and sampling support.
- <sup>4/</sup> For oats testing in FY 2010, soybeans in FY 2011 and wheat in FY 2012.
- <sup>5/</sup> For collection of 650 beef samples in FY 2012.
- <sup>6/</sup> Includes funding allocated to commercial vendors for collection of water samples, quality assurance services, State laboratory equipment and scientific supplies for State laboratories. In addition, in FY 2012, AMS plans to purchase laboratory equipment for States adding testing.
- <sup>7/</sup> NASS collects pesticide and chemical use in the Vegetable Chemical Use Survey (even years), Fruit Chemical Use Survey (odd years) and the Post Harvest Chemical Use Survey annually. Fertilizer questions are asked every four years within both the Fruit Chemical Use and Vegetable Chemical User surveys.

Mr. Kingston: Provide the Committee with a complete update on the Pesticide Data Program.

Response: From 1991 through March 2011, PDP has tested 102 commodities. In FY 2011, PDP is testing baby food (green beans, pears, and

sweet potatoes), canned beets, milk, papayas, snap peas, hot peppers, soybeans, tangerines, and cherry/grape tomatoes and will continue testing groundwater, and drinking water and commodities that were part of the FY 2010 program: apples, cabbage, cantaloupe, cucumbers, eggs, grapes, lettuce, oranges, orange juice, pears, canned and frozen spinach, sweet bell peppers, and reintroduced previously tested commodities. Data on previously tested commodities are needed to determine if there were measurable changes in the residue profile. All commodities selected for testing are based on EPA's requests for data to monitor registration-driven changes mandated by the FQPA and to respond to public food safety concerns using the most current laboratory method.

Fresh and processed fruit and vegetable commodities are collected at terminal markets, major distribution centers, and State warehouses. These sites were chosen because they are close to the consumer level, provide product origin information, take into account degradation of residues during transit and storage of products, and provide product distribution figures to support the statistical design of program operations. Commodities such as corn syrup, poultry, beef, and pork are collected at processing or slaughter plants representing approximately 95 percent of U.S. production. Grain samples are collected at grain elevators and storage silos. In 2010, AMS continued to collect paired raw water and treated drinking water samples from municipal supplies drawing from surface water sources; sites are chosen in consultation with EPA.

To date, sampling States for raw and finished water included Alabama; Arizona, California, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Minnesota, Missouri, Montana, New Jersey, New York, North Dakota, Ohio, Oregon, Pennsylvania, South Carolina, Texas, Virginia, Washington and the District of Columbia. Drinking water data is vital to estimates of aggregate exposure to pesticides.

A list of commodities tested through PDP is provided for the record.

[The information follows:]

#### COMMODITY HISTORY

##### FRESH COMMODITIES

Commodity	Start Date	End Date
Apples <sup>1</sup>	Sep-91	Dec-96
Apples (S-1)	Jan-99	Dec-99
Apples (S-2)	Jan-99	May-99
Apples	Oct-00	Sep-02
Apples	Jan-04	Dec-05
Apples	Jan-09	Dec-10
Apples (T-1)	Jan-03	Dec-03
Asparagus	Jan-02	Jun-03
Asparagus	Jul-08	Jun-10
Bananas	Sep-91	Sep-95
Bananas	Jan-01	Dec-02
Bananas	Jan-06	Dec-07
Bananas (TSP)	Jul-03	Dec-03
Blueberries (cultivated) <sup>2</sup>	Jan-07	Dec-08
Broccoli	Oct-92	Dec-94

Broccoli	Jan-01	Dec-02
Broccoli	Oct-06	Sep-08
Cabbage	Jan-10	Ongoing
Cantaloupe	Jul-98	Jun-00
Cantaloupe	Oct-03	Sep-05
Cantaloupe	Jan-10	Mar-10
Cantaloupe	Oct-10	Ongoing
Carrots <sup>1</sup>	Oct-92	Sep-96
Carrots	Oct-00	Sep-02
Carrots	Jan-06	Dec-07
Cauliflower	Oct-04	Sep-06
Celery	Feb-92	Mar-94
Celery	Jan-01	Dec-02
Celery	Jan-07	Dec-08
Cherries <sup>3</sup>	May-00	Aug-01
Cherries	May-07	Sep-07
Cilantro	Oct-09	Sep-10
Cranberries	Oct-06	Dec-06
Cucumbers	Jan-99	Dec-00
Cucumbers	Oct-02	Sep-04
Cucumbers	Jan-09	Dec-10
Eggplant	Jan-05	Dec-06
Eggs (TSP)	Jul-03	Dec-03
Eggs	Jul-10	Ongoing
Grapefruit	Aug-91	Dec-93
Grapefruit	Jan-05	Dec-06
Grapes <sup>1</sup>	May-91	Dec-96
Grapes	Jan-00	Dec-01
Grapes (TSP)	Jul-03	Dec-03
Grapes	Jan-04	Dec-05
Grapes	Jan-09	Dec-10
Green Beans	Feb-92	Dec-95
Green Beans	Jan-00	Dec-01
Green Beans	Apr-04	Mar-05
Green Beans	Jan-07	Dec-08
Green Onions (scallions)	Oct-08	Sep-09
Greens (collard & kale)	Oct-06	Sep-08
Hot Peppers	Oct-10	Ongoing
Lettuce	May-91	Dec-94
Lettuce	Oct-99	Sep-01
Lettuce	Jan-04	Dec-05
Lettuce	Jan-10	Ongoing
Lettuce, Organic	Jan-09	Dec-09
Mangoes	Apr-10	Sep-10
Mushrooms	Oct-01	Sep-03
Nectarines <sup>4</sup>	Jul-00	Sep-01
Nectarines	Jan-07	Dec-08
Onions	Jan-02	Dec-03
Oranges <sup>1</sup>	Aug-91	Dec-96
Oranges	Jan-00	Dec-01
Oranges	Jan-04	Dec-05
Oranges	Jan-09	Dec-10
Peaches	Feb-92	Sep-96
Peaches <sup>(S-3)</sup>	Jan-00	Sep-00
Peaches <sup>5</sup>	Jan-01	Sep-02
Peaches <sup>(T-1)</sup>	May-03	Sep-03

Peaches	Oct-06	Sep-08
Pears	Jan-97	Jun-99
Pears (S-1)	Jul-98	Jun-99
Pears	Oct-03	Sep-05
Pears	Jan-09	Dec-10
Pineapples	Jul-00	Jun-02
Plums <sup>6</sup>	Jan-05	Dec-06
Potatoes	May-91	Dec-95
Potatoes (S-4)	Dec-96	Dec-97
Potatoes	Jul-00	Jun-02
Potatoes	Jan-08	Dec-09
Spinach <sup>1</sup>	Jan-95	Sep-97
Spinach	Jul-02	Dec-03
Spinach <sup>7</sup>	Jan-06	Sep-06
Spinach	Jan-08	Dec-09
Strawberries <sup>2</sup>	Jan-98	Sep-00
Strawberries	Jan-04	Dec-05
Strawberries	Jan-08	Dec-09
Summer Squash	Oct-06	Sep-08
Sweet Corn (on-the-cob)	Oct-08	Sep-10
Sweet Bell Peppers	Jan-99	Dec-00
Sweet Bell Peppers	Oct-02	Sep-04
Sweet Bell Peppers	Jan-10	Ongoing
Sweet Potatoes <sup>1</sup>	Jan-96	Jun-98
Sweet Potatoes	Jan-03	Dec-04
Sweet Potatoes	Oct-08	Sep-10
Tomatoes <sup>1</sup>	Jul-96	Jun-99
Tomatoes	Jan-03	Dec-04
Tomatoes	Jan-07	Dec-08
Watermelon <sup>8</sup>	Oct-05	Sep-06
Watermelon	Apr-10	Sep-10
Winter Squash <sup>2</sup>	Jan-97	Jun-99
Winter Squash	Jul-04	Jun-06

<sup>1</sup> Excludes sampling hiatus September - November 1996.

<sup>2</sup> Frozen collected when fresh unavailable.

<sup>3</sup> Sampling adjusted for market availability. Cherries were sampled for 2 years (May-00 - Aug-01) for a total of 6 months.

<sup>4</sup> Sampling adjusted for market availability. Nectarines were sampled for 2 years (Jul-00 - Sep-01) for a total of 6 months.

<sup>5</sup> Sampling adjusted for market availability. Peaches were sampled for 2 years (Jan-01 - Sep-02) for a total of 16 months.

<sup>6</sup> Dried plums (prunes) were collected when fresh plums were not available.

<sup>7</sup> Spinach ended earlier than planned due to the unavailability of product.

<sup>8</sup> Samples collected in California, Florida, and Texas only.

(S-1) Special single serving project testing for organophosphates.

(S-2) Special single serving project testing for carbamates.

(S-3) Special single serving project testing for carbamate, organochlorine, organophosphate, organonitrogen, and sulfur compounds.

(S-4) Special single serving project testing for aldicarb.  
 (T-1) Triazole parent and metabolite compounds onlyonly.  
 (TSP) Triazole Sampling Project. Samples sent to contract laboratory.

**PROCESSED COMMODITIES**

<b>Commodity</b>	<b>Start Date</b>	<b>End Date</b>
Apple Juice <sup>1</sup>	Jul-96	Dec-98
Apple Juice	Jan-02	Dec-02
Apple Juice	Jul-07	Jun-08
Applesauce	Jul-02	Dec-02
Applesauce	Jan-06	Dec-06
Asparagus, Canned	Jul-03	Dec-03
Baby Food, Green Beans	Oct-10	Ongoing
Baby Food, Pears	Oct-10	Ongoing
Baby Food, Sweet Potatoes	Oct-10	Ongoing
Beans, Canned (4 varieties)	Oct-08	Sep-10
Blueberries (cultivated), Frozen <sup>2</sup>	Jan-07	Dec-08
Corn Syrup <sup>3</sup>	Jan-98	Jun-99
Grape Juice	Jan-98	Dec-99
Grape Juice	Jan-08	Dec-08
Green Beans, Canned/Frozen <sup>1</sup>	Jan-96	Jun-98
Green Beans, Canned	Jan-03	Mar-04
Green Beans, Frozen	Apr-05	Dec-05
Orange Juice	Jan-97	Dec-98
Orange Juice	Oct-04	Sep-06
Orange Juice	Oct-10	Ongoing
Peaches, Canned	Dec-96	Dec-97
Peaches, Canned	Jan-03	Dec-04
Peaches, Canned (T-1)	Jan-03	Mar-03
Peaches, Canned (T-1)	Oct-03	Dec-03
Pear Juice, Concentrate/Puree	Jul-02	Jun-03
Pears, Canned	Jul-99	Jun-00
Peas, Canned/Frozen	Apr-94	Jun-96
Peas, Canned/Frozen <sup>4</sup>	Oct-01	Sep-03
Peas, Frozen	Jan-06	Dec-06
Plums, Dried (Prunes) <sup>5</sup>	Jan-05	Dec-06
Potatoes, Frozen	Jan-06	Dec-07
Raisins	Jul-06	Jun-07
Spinach, Canned	Oct-97	Dec-98
Spinach, Frozen	Jan-99	Dec-99
Spinach, Canned	Jan-04	Jun-04
Spinach, Canned/Frozen	Jul-10	Ongoing
Strawberries, Frozen <sup>2</sup>	Jan-98	Sep-00
Sweet Corn, Canned/Frozen	Apr-94	Mar-96
Sweet Corn, Canned/Frozen <sup>4</sup>	Oct-01	Sep-03
Sweet Corn, Frozen <sup>2</sup>	Oct-08	Sep-10
Tomato Paste, Canned	Jan-01	Jun-01
Tomato Paste, Canned	Jan-09	Dec-09

Tomatoes, Canned	Jul-99	Jun-00
Winter Squash, Frozen <sup>2</sup>	Jan-97	Jun-99

<sup>1</sup> Excludes sampling hiatus September - November 1996

<sup>2</sup> Frozen collected when fresh unavailable

<sup>3</sup> Excludes sampling hiatus January 1999

<sup>4</sup> Canned samples collected in first year and frozen samples in second year of testing.

<sup>5</sup> Dried plums (prunes) were collected when fresh plums were not available.

(T-1) Triazole parent and metabolite compounds only.

(TSP) Triazole Sampling Project. Samples sent to contract laboratory.

#### GRAINS

Commodity	Start Date	End Date
Almonds	Jul-07	Mar-08
Barley	Oct-01	Sep-03
Corn	Oct-06	Sep-08
Oats	Jul-99	Apr-00
Oats	Jan-10	Jun-10
Rice	Oct-00	Sep-02
Rice <sup>1</sup>	Oct-08	Sep-09
Soybeans	Sep-96	Feb-98
Soybeans	Oct-03	Sep-05
Soybeans	Sep-10	Ongoing
Soybean Rust/Aphid	Oct-05	Dec-05
Wheat	Feb-95	Jan-98
Wheat	Sep-04	Jun-06
Wheat Flour	Jan-03	Dec-04
Wheat Flour (T-1)	Jan-03	Dec-03

#### NUTS AND NUT PRODUCTS

Commodity	Start Date	End Date
Almonds	Jul-07	Mar-08
Peanut Butter	Jan-00	Dec-00
Peanut Butter	Jan-06	Dec-06
Peanut Butter (TSP)	Jul-03	Dec-03

#### DAIRY

Commodity	Start Date	End Date
Butter	Jan-03	Dec-03
Heavy Cream	Jul-05	Dec-05
Heavy Cream	Jan-07	Dec-07
Milk <sup>2</sup>	Jan-96	Oct-98
Milk (TSP)	Jul-03	Dec-03
Milk	Jan-04	Dec-05

**MEAT / POULTRY / FISH PRODUCTS**

Commodity	Type	Start Date	End Date
Poultry	Young Chickens	Apr-00	Mar-01
Poultry	Young & Mature Chickens	Jan-06	Dec-06
Beef	Cows, Heifers, Steers	Jun-01	Jul-02
Beef <sup>3</sup>	Cows, Heifers, Steers	Dec-08	May-09
Pork	Gilt, Barrow	Jan-05	Jun-05
Fish <sup>4</sup>	Catfish	Apr-08	Jun-10

**OTHER**

Commodity	Start Date	End Date
Honey	Oct-07	Sep-08

**DRINKING WATER**

Type	Start Date	End Date
Finished Water Only (27 sites)	Mar-01	Dec-03
Raw Intake and Finished Water (53 sites)	Jan-04	Ongoing
Bottled Water (10 Participating States)	Jan-05	Dec-06
Groundwater (489 Private Wells in 37 States)	Jan-07	Ongoing

<sup>1</sup> Includes hiatus May-July 2009

<sup>2</sup> Excludes sampling hiatus September - November 1996

<sup>3</sup> Survey ends 7 months early due to budgetary constraints

<sup>4</sup> Excludes sampling hiatus April-June 2009

(T-1) Triazole parent and metabolite compounds only

(TSP) Triazole Sampling Project. Samples sent to contract laboratory

**NATIONAL ORGANIC PROGRAM**

Mr. Kingston: How many certifying agents have been accredited in the organic program to date? What is the estimated percentage of the organic industry with accreditation? Of the total number accredited, how many have been evaluated on-site?

Response: To date, there are 94 certifying agents accredited under the National Organic Program (NOP). All certifying agents must be accredited in order to certify that organic producers and handlers are operating in accordance with the NOP regulations. All 94 accredited certifying agents have had on-site evaluations.

There are over 27,000 organic producers and handlers certified under the NOP regulations around the globe with over 17,000 within the U.S. Organic producers and handlers that annually sell less than \$5,000 worth of organic products are not required to be certified. USDA's National Agricultural Statistics Service reported that 3,714 organic producers were below the sales threshold and therefore were exempt from organic certification requirements, however many of these producers chose to voluntarily obtain organic certification for marketing purposes.

Mr. Kingston: Please update the table that appears in last year's hearing record showing how much has been spent by year for the Organic Certification Program, along with a brief description of the purpose.

Response: The information is submitted for the record.

[The information follows:]

National Organic Regulatory and Certification Activities  
(Dollars in Millions)

Activity	Year	Funding
Developed a charter for the National Organic Standards Board (NOSB), and initiated a process to receive nominations in the event Federal Advisory Committee funds became available	1991	0.00
The Department allocated \$120,000 for NOSB activities which included three NOSB meetings and eleven NOSB subcommittee meetings of committees of the NOSB following Federal Advisory Committee Act, or FACA, procedures. AMS continued to provide communication to the organic community and encouraged them to work together with the NOSB to assist the program	1992	\$0.12
The Department allocated \$45,646 for NOSB activities which included three NOSB meetings. AMS continued to serve as liaison with other agencies and the organic community	1993	0.05
AMS received \$500,000 in Marketing Services for the National Organic Program (NOP) to arrange meetings, prepare public notices of the meetings, prepare minutes, copy documents, cover handling expenses, negotiate with the European Union, and help the private certifiers develop and submit technical dossiers. We arranged and conducted four livestock hearings across the country, issued contracts to technical advisers to coordinate the materials review process, participated in international standards development at Codex, and coordinated with other agencies and Departments on program activities related to their missions. The Department also allocated \$57,571 for NOSB activities from the Department's advisory committee account for two Board meetings	1994	0.50
AMS drafted regulations, communicated with the organic community on issues and concerns, provided mailings on USDA recommendations, and participated in development of international guidelines development under Codex. We also coordinated and implemented the required Technical Advisory Panel reviews of substances under consideration for the national list. The Department allocated \$40,000 for NOSB activities from the Department's advisory committee account for two Board meetings	1995	0.54



AMS' NOP drafted regulations subsequent to NOSB recommendations for the program. We participated in a Codex meeting to develop international guidelines for organic production and processing, continued to provide support for the NOSB, and discussed the proposed organic rule with other agencies that may be affected, such as the Environmental Protection Agency and the Food and Drug Administration. The Department allocated \$33,000 for NOSB activities from the Department's advisory committee account for one Board meeting	1996	.53
NOP continued drafting the proposed rule for publication and public comment. No additional funds were available from the Department's advisory committee account	1997	.50
The proposed rule was published December 16, 1997. The public comment period was extended to close April 30, 1998. NOP supported a meeting of the NOSB in March of 1998 to review the proposed rule	1998	.50
Over 275,000 public comments were received on the initial publication of the proposed rule, mostly in opposition. A second public comment period was opened for 45 days to receive input on three issue papers concerning animal confinement, animal medications, and termination of certification. NOP again participated in the Codex Committee on Food Labeling and provided support for two NOSB meetings	1999	0.92
A re-proposed rule was published on March 7, 2000, with a 90 days public comment period. There were 40,774 public comments received during that period. In addition NOP held three public meetings on organic seafood production. The program participated in one industry-only meeting sponsored by Alaska governor Tony Knowles and Senator Ted Stevens. NOP participated in the Codex Committee on Food Labeling, Organic Food Working Group in Ottawa, Canada and supported three NOSB meetings	2000	1.00
A final rule was published on December 21, 2000, became effective on April 21, 2001, and was fully implemented on October 21, 2002. Again NOP participated in the Codex Committee on Food Labeling. With additional funding approved, one full-time employee was hired to assist NOP staff with the accreditation of certifying agents. Initial accreditation began of domestic and foreign certifying agents and policy directives were developed and compiled into program manuals. In addition, there were three meetings this year	2001	1.56
AMS continued the implementation process and announced the first group of accredited certifiers on April 21, 2002. Once these State and private certifying agents were certified they began inspecting participating producers and handlers to certify compliance with the National Organic Standards. NOP continued to provide staff support for the NOSB which held two meetings this year. NOP staff assisted these Board meetings through the review of substances for addition to the National List and publication of proposals to amend the National List	2002	1.60

AMS continued the implementation process including, as a part of the accreditation process, onsite evaluations of accredited certifying agents to examine their operations and verify compliance with the National Organic Standards. Fiscal Year 2003 activities also included: the accreditation of additional applicants; developing organic standards equivalency agreements with foreign governments; enforcement of the National Organic Standards; completion of guidance documents to clarify existing standards for mushroom, greenhouse, and apiculture production; consultations with the aquaculture and wild catch industries on the possible publication of production and handling standards for aquatic species; discussions with the cosmetics and body care industries on the possible publication of production and handling standards for cosmetics and body care products; identifying issues and developing curricula for regional training for accredited certifying agents; and the development of consumer information. NOP continued to provide staff support for the NOSB which held two meetings. Support included assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List

2003 <sup>1/</sup> 0.98

AMS continued the accreditation process, including onsite evaluations of certifying agents accredited during 2003 to examine their operations and to verify their compliance with the National Organic Standards. Fiscal year 2004 activities also include the accreditation of additional applicants; development of organic standards equivalency agreements with foreign governments; enforcement of the National Organic Standards; development of guidance documents and rulemaking to clarify existing standards; continued development of production and handling standards for aquatic species and cosmetics and body care products; continued regional training for accredited certifying agents; and developed consumer information. NOP continued to provide staff support for the NOSB which held two meetings. Support included assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List. In fiscal year 2004, Congress provided an increase in funding to the National Organic Program to meet several statutory requirements of the Organic Foods Production Act of 1990. AMS used the funding increase to hire additional staff, increase support activities for the NOSB and finance peer reviews and Technical Advisory Panel reviews of petitioned materials

2004 <sup>1/</sup> 1.97

AMS administration of the National Organic Program including, as a part of the accreditation process, onsite evaluations of accredited certifying agents to examine their operations and to verify their compliance with the National Organic Standards. Fiscal Year 2005 activities also included the accreditation of additional applicants; development of organic standards equivalency agreements with foreign governments; enforcement of the National Organic Standards; development of guidance documents to clarify existing standards; establishing task forces for the development of production and handling standards for aquatic species and pet food; and conducting regional training sessions for accredited certifying agents. NOP continued to provide staff support for the NOSB which held 3 meetings during fiscal year 2005. Support included assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List

2005 <sup>1/</sup> 1.98

Fiscal Year 2006 activities included the accreditation of additional applicants; continued development of organic standards equivalency/recognition agreements with foreign governments; enforcement of the National Organic Standards; development of guidance documents and possible rulemaking to clarify existing standards; continued cooperation in the development of production and handling standards for aquatic species; regional training for accredited certifying agents; and development of consumer information. The National Organic Program continued to provide staff support for the NOSB which held two meetings. Support included assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List

2006 <sup>1/</sup> 1.99

Fiscal Year 2007 activities included the accreditation of additional applicants upon completion of accreditation requirements; continued development of organic standards; development of additional recognition agreements with foreign governments; enforcement of the National Organic Standards; development of guidance documents and rulemaking to clarify existing standards; continued cooperation in the development of production and handling standards for aquatic species and pet food; regional training for accredited certifying agents; and development of consumer information. The NOP continued to provide staff support for the NOSB which held two meetings. Support included assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List

2007 <sup>1/</sup> 2.00

AMS is continuing NOP administration. As a part of the accreditation process, AMS conducts an ongoing series of onsite evaluations of accredited certifying agents to examine their operations and to verify their compliance with the National Organic Standards. Fiscal Year 2008 activities included the accreditation of additional applicants upon completion of accreditation requirements; continued development of organic standards; development of additional recognition agreements with foreign governments; enforcement of the National Organic Standards; development of guidance documents and rulemaking to clarify existing standards; continued cooperation in the development of production and handling standards for aquatic species and pet food; regional training for accredited certifying agents; and development of consumer information. The NOP provided staff support for the NOSB which held one meeting along with an aquaculture symposium in November 2007 and conducted another board meeting in May 2008. Support included assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List. . . . .

2008 <sup>1/</sup> 3.13

AMS conducted a series of onsite evaluations of accredited certifying agents to examine their operations and to verify their compliance with the National Organic Standards. Fiscal Year 2009 activities included the accreditation of additional applicants upon completion of accreditation requirements; continued development of organic standards; development of additional recognition agreements with foreign governments; enforcement of the National Organic Standards; development of guidance documents and rulemaking to clarify existing standards; continued cooperation in the development of production and handling standards for aquatic species and pet food; regional training for accredited certifying agents; and development of consumer information. The NOP provided staff support for the NOSB which held two meetings. Support included assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List. .

2009 <sup>1/</sup> 3.86

In, FY 2010, AMS received a \$3.1 million increase for the NOP which was used, in part, to hire 14 new staff to carry out the enforcement and administration needs of the program. NOP issued new operating procedures designed to increase the effectiveness of enforcing National Organic Standards. Activities also included the increased the use of civil penalty authority in cases where willful violations occur. NOP issued eight civil penalties (more than all of the civil penalties issued during the first seven years of the program). For Fiscal Year 2010, the NOP closed 123 complaint cases. The NOP increased enforcement activities, not only in the United States, but also in foreign countries through monitoring recognition agreements and certification activity of foreign certifying agents. During fiscal year 2010, the NOP conducted compliance assessments in Canada, Egypt, Israel, Denmark, Ghana, and China. AMS auditors also conducted organic audits in Argentina, Italy, Germany, Bolivia and Mexico. The NOP also published its Program Handbook, which provides those who own, manage, or certify organic operations with guidance and instructions that can assist them in complying with the NOP regulations. An Office of Inspector General (OIG) audit was conducted on the program and of the 14 recommendations that were made by the program has taken corrective action to satisfactorily address thirteen recommendations

2010 <sup>1/</sup> 6.97

AMS will continue to conduct an ongoing series of onsite evaluations of accredited certifying agents to examine their operations and to verify their compliance with the National Organic Standards. Activities will include the accreditation of additional applicants upon completion of accreditation requirements; investigation and closure of complaints; onsite audits of domestic and foreign certifying agents; market surveillance; continued development of organic standards; development of additional equivalency agreements with foreign governments; enforcement of the National Organic Standards; development of guidance documents and rulemaking to clarify existing standards; continued cooperation in the development of production and handling standards for mushrooms, greenhouses, and pet food; training for accredited certifying agents; and development of consumer information. The NOP will continue to provide staff support for the NOSB which plans to hold two meetings. The last recommendation made by the OIG (peer review panel) is scheduled to be completed by June 2011. This support includes assistance to the NOSB in its review of substances for addition to the National List and publication of proposals to amend the National List

est.  
2011 <sup>1/</sup> 6.97

1/ Does not include funds, from the Market Development and Assistance line that was merged into the "Organic Standards" line item for budget simplification purposes.

Mr. Kingston: How much do you plan to spend in the current year on organic certification implementation and for what purpose?

Response: In FY 2011, the NOP program budget is \$6.9 million. This year the program is making efforts to improve response times on complaints, and clarify the interpretation of organic standards so that they can be applied consistently.

AMS issued new procedures that will increase the effectiveness of enforcing national organic standards. Operating procedures are now in effect for the NOP that will help to ensure that all complaints of alleged violations and civil penalties are consistently handled. In the past, complaints of alleged standards violations were referred to accredited certifying agents for investigation and enforcement. Now the NOP will collaborate with accredited certifying agents in investigating cases while handling all enforcement actions.

Mr. Kingston: Provide a table showing the resources, both dollars and staff, which have been expended on the Organic Certification Program since its inception, including fiscal year 2011 estimates.

Response: The information is submitted for the record.

[The information follows:]

Organic Regulatory and Certification Activities  
(Dollars in Millions)

Fiscal Year	Staff Years	Funding
1992	2	\$0.12
1993	2	0.05
1994	5	0.50
1995	7	0.54
1996	7	0.53
1997	7	0.50
1998	14	0.50
1999	15	0.92
2000	11	1.00
2001	15	1.56
2002	11	1.60
2003 1/	13	0.98
2004 1/	13	1.97
2005 1/	11	1.98
2006 1/	13	1.99
2007 1/	13	2.00
2008 1/	14	3.13
2009 1/	19	3.86
2010 1/	28	6.97
2011 1/	32	6.97
Total	258	\$37.67

1/ Does not include funds from the Market Development and Assistance line item that was merged into the Organic Standards\* line item for budget presentation purposes.

#### PAYMENTS TO STATES AND POSSESSIONS

Mr. Kingston: Provide for the record a state-by-state funding table for the Payments to States program to include fiscal year 2011 and 2012 estimates.

Response: For fiscal year 2011, the total estimated amount for the Payments to States program is \$1,334,000. Distributions of obligations by State are not available until projects have been selected. We will provide the information to the Subcommittee as soon as it is available. A funding level of \$2,634,000 is proposed for fiscal year 2012.

Mr. Kingston: Please provide for the record a list of the projects that were approved for the Payments to States and Possessions program during fiscal year 2010. Also, provide a brief description of each project. Lastly, include a brief description of how AMS evaluates the merits of a proposal.

Response: The information is submitted for the record.

[The information follows:]

#### FEDERAL-STATE MARKETING IMPROVEMENT PROGRAM FISCAL YEAR 2010 GRANTS

<u>State</u>	<u>Purpose</u>	<u>Award</u>
Colorado	Prepare and assist the millet industry to directly market their products through research and training on the certifications and protocols necessary to access domestic and international markets.	\$42,000
Florida	Survey families with children to identify their attitudes about and preferences for seafood and aquaculture products, and to help the seafood industry develop a marketing campaign to reach this population of consumers.	80,900
Florida	Assess the demand for farm-raised baitfish in the Southeast through interviews and a survey of Florida anglers and baitfish retailers.	38,015
Georgia	Examine the market for locally-produced beef in the Southeastern U.S. and determine consumers' willingness to pay for various product attributes to help the region's retailers/foodservice operators better estimate consumer price-points, and help producers implement appropriate production strategies.	63,275

<u>State</u>	<u>Purpose</u>	<u>Award</u>
Montana	Use Web-based technology to foster an effective regional food system in Montana.	62,485
Montana	Create a wheat- priced model and Website for use by wheat producers in a tri-state region, and conduct educational programs aimed at improving economic returns.	79,600
Louisiana	Identify high potential, wood-based bioenergy business options that can be integrated into the current business models of forest landowners, and wood product manufacturers and distributors in the Louisiana forestry sector.	61,295
Maryland	Assess the economic impact of Maryland farmers markets, identify ways to expand the customer base and increase sales, and explore the feasibility of forming a statewide farmers market association.	20,825
Maryland	Encourage increased use of locally produced sustainable protein foods such as beef, pork, poultry, dairy, eggs, and seafood, in Maryland health care facilities and institutions.	100,620
Massachusetts	Identify factors for both successful and unsuccessful farmers markets and evaluate the impact of the new Women, Infants, and Children (succeed and others WIC) cash voucher program on farmers and WIC clients.	38,870
Michigan	Gain insight into consumer demand and willingness to pay for ornamental and food-producing nursery plants grown under different production systems (sustainable, organic, conventional), at varying distances from the market (local, distant; domestic, international), in various containers (plastic, wheat, straw).	48,000
Mississippi	Conduct a pilot project to develop and deliver a quality control training program for small farmers and limited-resource cooperatives in Mississippi.	43,690
Kentucky	Determine best practices for sampling food products at farmers markets, explore how food product sampling can enhance vendor revenue, and publish a food product sampling guidebook for market managers and vendors.	38,550
Nebraska	Improve the sustainability of small to mid-sized agricultural producers and their host communities through more effective management of local food cooperatives operating under the Oklahoma Food Cooperative model.	68,095



<u>State</u>	<u>Purpose</u>	<u>Award</u>
New Jersey	Develop and launch New Jersey grown and processed value-added products that meet the nutritional and cost requirements of the National School Lunch Program.	51,215
New York	Develop a collaborative cluster of bakers to work on new product development with the region's growers and millers of hard and soft wheat, spelt, corn, and other small grains.	75,505
New York	Develop practical direct marketing food safety protocols and compile comprehensive case studies to demonstrate best practices for safe food handling.	58,555
North Dakota	Study current industry practices with regard to quality standards for biomass feedstocks including corn stover, wheat straw, sorghum aftermath, and sugarcane bagasse. Using the results to develop schedules of premium and discounts, along with price reporting series.	59,735
Ohio	Foster development of new local food processing, aggregation, and distribution infrastructure in Ohio.	54,375
Oregon	Assist grass seed warehouse operators to develop export shipping quality manuals and complete a comprehensive review process to enhance their competitiveness in international markets.	55,850
South Carolina	Provide baseline data for a study on the long term economic impact of Market Maker, an interactive Web-based resource that provides geo-coded food marketing information to entrepreneurs and customers, to facilitate business-to-business and consumer- to-producer connections' now operating in 13 States and the District of Columbia.	109,000
Wyoming	Explore opportunities for developing community supported agriculture (CSA) operations in the State, and develop a start-up guide that addresses the challenges of operating CSAs in the Rocky Mountain region.	83,545
<b>Total</b>		<b><u>\$1,334,000</u></b>

## FSMIP Proposal Selection Criteria

Applications meeting the basic eligibility requirements for FSMIP funding are reviewed and evaluated by subject matter specialists within AMS and elsewhere within USDA and as appropriate by other Federal agencies. Proposals

must deal with some aspect of marketing, include a significant research component, and must potentially benefit multiple producers or agribusinesses. Proposals that do not meet these basic requirements will not be considered. As a basis for allocating available funds among competing proposals, AMS is guided by the following criteria:

- The relative need for the proposed activity or the relative importance of the problem to be addressed.
- The benefits likely to be derived from the project in relation to the amount of FSMIP funds requested.
- The level and nature of State and other non-Federal support (including, but not limited to, the required matching funds or in-kind resources) pledged to the project or activity.
- The potential impact of an individual project on other States or on issues of national importance.
- The adequacy and appropriateness of measures which will be used to evaluate the project outcome.
- Unique and innovative features of the project, particularly if the project is similar to others funded in the past.
- Evidence provided in a clearly written narrative that the proposal brings together the appropriate resources necessary to meet the project objectives.

Proposals that reflect a collaborative approach among the States, academia, the farm sector, and other appropriate entities are of particular interest to the program. States are urged to consider developing proposals that have regional or national significance.

#### STANDARDIZATION PROGRAM COSTS

Mr. Kingston: Please provide a table showing standardization program costs by commodity for fiscal years 2009 and 2010.

Response: The information is submitted for the record.

[The information follows:]

Fiscal Year 2009 and 2010 Standardization Program Costs (Dollars in Thousands)		
Commodity	Program Cost	
	FY 2009	FY 2010
Cotton & Tobacco	\$1,939	\$1,491
Dairy Products	642	717
Fruits and Vegetables (Fresh & Processed)	1,342	1,413
Meat	418	963
Poultry	307	329
Science	106	113
Total	4,754	5,026

## GRADING PROGRAMS EMPLOYEES

Mr. Kingston: Please provide a table showing the total number of grading employees broken down by Federal employees (if applicable, please specify the particular Federal Agencies other than AMS and their respective number of employees) and Federally-supervised state employees for the past five fiscal years to include fiscal year 2010. How does AMS choose the part-time employees hired to perform the grading?

Response: The information is submitted for the record.

[The information follows:]

Agricultural Marketing Service  
Grading Activities Performed by Federal Employees  
And Federally Supervised State Employees

	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Number of Federal Employees (1)	3,270	3,131	2,987	2,986	2,883
Number of Federally-Supervised State Employees (2) (3)	3,261	2,963	2,439	2,445	2,141
Cross-Licensed Employees of Other Programs or USDA Agencies	26	28	29	28	30
Total	6,557	6,122	5,455	5,459	5,054

- (1) Includes seasonal AMS employees.
- (2) A Federally-supervised State employee generally works less than one full-time equivalent staff year.
- (3) The number of Federally-Supervised State Employees decreased in fiscal years 2007 and 2008 due to decreased State needs. The reasons vary by State including changes in crop size due to weather. Fresh Fruit & Vegetables federal state licenses have declined over the past few years as a result of consolidated and decreased applicants.

Generally, AMS hires non-full time graders on an intermittent, seasonal work schedule rather than a part-time schedule. These employees are chosen from resumes submitted to the Agency or from annuitants. This staffing level is based on the needs of the Agency.

## GRADING PROGRAMS FEES

Mr. Kingston: Did any grading fees increase or decrease during fiscal year 2010? What was the amount of the increase or decrease and why?

Response: AMS grading fees did not increase or decrease in fiscal year 2010.

Mr. Kingston: Are you proposing any grading fee increases in fiscal year 2011 and 2012?

Response: AMS Poultry Program is considering a multi-year increase in fees and charges for Egg, Poultry, and Rabbit Grading, Certification and Auditing Services. This multi-year fee increase would take effect each year from fiscal years 2011-2014 for both Resident and Non-Resident Services along with Non-Resident and Appeal Service and Audit Fees.

We are also evaluating fee increases for both Meat and Dairy Grading programs.

#### LABORATORY TESTING FEES INCREASES

Mr. Kingston: Did any other fees increase or decrease? By how much?

Response: Yes, effective April 1, 2010, AMS increased its laboratory testing fees to reflect the annual operating cost of providing these services for fiscal years 2010-2012. The hourly fee rate was increased from \$67 per hour in fiscal year 2009 to \$78 per hour in fiscal year 2010, \$81 per hour in 2011, and \$83 per hour in 2012.

The Fruit and Vegetable Perishable Agriculture Commodities Act (PACA) program increased the PACA license fee in October 2011. The licensing fee was increased from \$550 to \$995 so that the program could continue to provide services to the fruit and vegetable industry and maintain an operating reserve for liabilities.

#### MARKET NEWS SERVICE REPORTS

Mr. Kingston: Did you eliminate or consolidate any market news reports in fiscal year 2010, or do you plan to do so in fiscal year 2011 or fiscal year 2012?

Response: AMS adds, modifies, or eliminates reports to support both consumer need and environment changes on an on-going basis. In FY 2010, AMS Market News made enhancements to the Market News Information System (MNIS) and the Market News Portal to improve data entry for retail reporting which allows for greater flexibility and increased efficiency to report additional commodities, varieties, package sizes, and seasonal items. The amount of fruit and vegetable data in the retail report more than doubled as a result. Also in FY 2010, the *Upland Daily Spot Cotton Quotations* report was revised as a result of a review of the quality of the U.S. cotton crop. As a result, the number of active participants in the Daily Spot Cotton Quotations Program has increased 48 percent.

In FY 2011 and FY 2012, AMS Market News will review and evaluate market reports and information based on need and the resources available, eliminating or consolidating where appropriate or necessary. Market News will strive to maintain critical reporting on agricultural markets to the benefit of broad segments of the industry; especially for small and medium sized producers, handlers, buyers and other key participants in the marketing chain.

## WHOLESALE MARKET DEVELOPMENT PROJECTS/ACTIVITIES

Mr. Kingston: For the record, please provide the Committee with a listing and status of all wholesale market development projects worked on in fiscal years 2009 and 2010, as well as those underway in fiscal year 2011. Please include the total cost of each project.

Response: The information is submitted for the record.

[The information follows:]

## Wholesale Market Development Projects/Activities

FY 2009 Projects:

**West Coast Direct Marketing Summit. Developing Sustainable Food Sheds to Enhance Food Access and Nutrition.** AMS worked closely with our non-profit partner, the CA-based Roots of Change, to bring together 120 leaders from the West Coast and national experts to explore and increase a common understanding of how to expand direct marketing opportunities and local food access through regional food shed development. **Contract cost: \$50,000**

**Emerging Market Opportunities for Small-Scale Farmers.** Developed and published a report that summarized proceedings of a panel discussion, organized by AMS personnel, for the USDA Office of Outreach's Annual Partners Meeting in August 2008. The report offers insights into the motivations and requirements of purchasing agents involved in sourcing locally grown food from the perspective of a hospital food service director, a regional food distributor, and a retail food buyer. **Used AMS resources for this contract.**

**Fact Sheet on Direct to Consumer Food Marketing.** Developed and published a report that extracted highlights from new and previous Census of Agriculture figures regarding recent growth and the geographical distribution of direct-to-consumer food marketing in the U.S., in order to allow for a more contextual evaluation of the impact of direct marketing in the food system. **Used AMS resources for this contract.**

**National Farmers Market Survey.** Completed and published a research report analyzing the results of USDA's 2006 National Survey of Farmers Market Managers by examining farmers market performance and operational issues/needs in relation to geographic location, size of market, product mix, and population density of the surrounding community. Prepared and submitted an information collection request to OMB providing justification to carry out a similar survey in early 2010. **Used AMS resources for this contract.**

**National Farmers Market Directory.** Continued to provide leadership in developing, implementing, and updating an on-line searchable database with approximately 5,000 market listings on an ongoing basis. **Used AMS resources for this contract.**

**USDA Farmers Market.** Continued to manage and oversee the operation of an outdoor Farmers Market at USDA in Washington, D.C. and introduced new indoor market days in the back of the USDA cafeteria during winter months, helping producers of value-added farm product expand their outreach to customers. Coordinated the collection of produce at the end of each market day for donations given to DC Central Kitchen, and provided promotional support to the Department's new People's Garden initiative. **Used AMS resources for this contract.**

**Local Food Promotion at USDA Cafeteria.** Assumed a lead role in promoting the purchasing and preparation of locally grown foods in the USDA cafeterias. Coordinated activities to bring about a second Farm to Cafeteria promotional event. **Used AMS resources for this contract.**

**How to Start a Farmers Market on Federal Property.** Collaborated with GSA to update and publish a user-friendly guide for market managers and planners interested in establishing a farmers market at Federal facilities. The brochure includes several examples of successful farmers market operations on Federal property, including our flagship USDA farmers market at headquarters. **Used AMS resources for this contract.**

**Electronic Benefits Transfer (EBT) Handbook.** Implemented a cooperative research agreement with the New York City-based non-profit organization Projects for Public Spaces, and convened a working group of industry experts to collaborate in developing the outline of a manual for market managers and vendors on EBT acceptance at farmers markets and its impact on market performance. **Contract cost: \$40,000**

**The Growing Role of Local Food Markets.** The program wrote and published an article on the training role of Local Food Markets in the American Journal of Agricultural Economics Program December 2008 issue. It summarized the key points of three papers on local food system development presented at an earlier conference. **Used AMS resources for this contract.**

**Farmers Market Transportation Project.** Completed a cooperative research agreement with the Resource Conservation and Development Council of Southeastern Pennsylvania to investigate the impact that offering free transportation services would have on encouraging the patronage of farmers markets and farm stands by WIC and Senior Farmers Market Nutrition Program recipients. **Contract cost: \$50,000**

**NYC Greenmarket Study.** Continued to collaborate with the Council on the Environment personnel, the agency which provides oversight to the New York City Greenmarket system, on an ongoing multi-phase project investigating the success and failure of farmers markets in NYC, with a special emphasis

on looking at what makes markets successful in mixed income neighborhoods.  
**Contract cost: \$26,000**

**National Study of Small-Scale Farmer Direct Distribution Models.**

Completed collection of primary data from nine case studies of small-scale farmer direct distribution models, which are currently being incorporated into a best practices and lessons learned" resource guide. As part of this effort, AMS researchers developed a market assessment toolkit to aid small-scale and limited resource producers in assessing and accessing various farm-to-consumer and farm-to-firm market channels. **Used AMS resources for this contract.**

**National Typology of Farmers Markets.** Using market sales data gathered as part of the National Farmers Marketing Survey project, engaged in a cooperative research project with Michigan State University to analyze the extent to which farmers' market success and profitability appears to be influenced by internal operational and structural characteristics, and by external factors, such as demand, population density, and food access issues. **Contract cost: \$40,000**

**Market Barriers for Small-Scale Organic Producers.** Continued working with staff at the California Institute for Rural Studies to carry out the workplan laid out in a cooperative agreement to investigate the marketing barriers confronted by small and medium sized organic farmers in California, many of whom have begun to exit the industry. **Contract cost: \$40,837**

**Value Chain Research Collaboration Project.** In collaboration with the Wallace Center at Winrock International, AMS played a lead role in bringing together the top researchers and practitioners involved in agricultural value chains (supply chains characterized by strategic partnerships between buyer and seller and a common commitment to product differentiation) to accomplish the following goals: (1) develop a common framework for how we define, study and understand value chains; (2) summary analysis from current research on the major lessons learned, challenges, and opportunities for establishing value chains; (3) an annotated bibliography of current and past studies/work on value chain development; and (4) a compilation of practical tools/applications that can be utilized by practitioners to establish or strengthen value chain development. **Contract cost: \$11,000**

**5<sup>th</sup> National Small Farms Conference Planning.** Served as co-chair of the agricultural marketing track, reviewed presentation proposals, selected the final list of presentations to be given at the conference, and assigned presentations to different topic panels. **Contract cost: \$10,000**

**Graham Business Improvement District, Brooklyn, NY.** Initiated a cooperative project to strengthen the Graham Avenue Farmers Markets to increase healthy food access to underserved populations. **Contract cost: \$94,000**

**Participate in the D.C. Collaborative Farmers Market Meetings.** The group consisted of market managers from Maryland, D.C. and other farmers market organizations sharing information regarding Food Stamp Outreach, EBT use, Farmers Market Permits, Gleaning and other information supporting the growth of farmers markets. **Used AMS resources for this contract.**

**Educational Exchange and Outreach.** Conducted outreach and educational exchange with constituents and/or project partners in order to promote and educate people about AMS marketing program services and resources, provide technical assistance and disseminate research findings. Our participation and involvement in outreach and educational exchange ranged as follows:

Conference Organizing/Planning

- EBT Working Group Workshop (Washington, DC, January 2009).
- W. K. Kellogg Foundation Food and Society Conference (San Jose, CA, April 2009).
- West Coast Direct Marketing Summit (Oakland, CA, July 2009).
- 5th National Small Farms Conference (Springfield, IL, September 2009).

Research Dissemination

- Annual meetings of the Agriculture, Food, and Human Values Society (State College, PA, March 2009) and the Rural Sociological Society (Madison, WI, July, 2009).
- Regional local foods workshop sponsored by Penn State's Northeast Center for Rural Development (Kerhonskon, NY, May 2009).
- ERS Local Foods Workshop (Washington, DC, June 2009).

Targeted Outreach

- Marketing Service Division economists presented information on the Farmers Market Promotion Program and other USDA funding opportunities for small-scale and limited resource producers at the Refugee Agricultural Partnership Program annual workshop (Kansas City, MO, October 2008).

General Outreach, Education and Information Exchange

- National Food Value Chain Workshop and Agriculture of the Middle Working Group Meeting (Portland, OR, October, 2008).
- International Public Market Conference (San Francisco, CA, April, 2009).
- Agile Agriculture (Fayetteville, AR, July 2009) and Communities of



Practice meeting (Johnston, IA, August 2009).

- Virginia Tech In-Service Training for Farm Business Management (Blacksburg, VA, August 2009).
- Webinar on USDA Funding Opportunities (Washington, DC, September 2009).
- At the request of USDA's Agricultural Research Service (ARS) national program on Agricultural System Competitiveness and Sustainability, completed an assessment of Maine's fresh market potato industry for the benefit of small-scale Maine growers, members of the Maine Potato Board and research scientists with the ARS experiment station in Orono, ME looking to help local growers enhance the profitability of their potato operations.
- Initiated the development of a project to examine potential applications of solar energy to reduce operational costs at permanent food market and warehouse facilities.
- Assisted the management of the Syracuse Farmers Market in researching and planning the implementation of a new, high efficiency lighting system using LED and/or other lightening sources.

**FY 2010 Projects:**

**Know Your Farmer, Know Your Food/Other Departmental Initiatives**

- Began identifying food hubs around the country, creating maps to show areas of operation, and educating interested stakeholders about basic food hub concept. **Contract cost: \$37,400**
- Provided guidance to the USDA Office of Operations on options for enhancing the availability of locally grown food in the USDA cafeteria and identified models used in food service operations within and outside of government to promote wellness and sustainability. **Used AMS resources for this contract.**
- Developed an MOU with ERS and FNS to create a national map of farmers markets overlaid with economic and demographic characteristics. **Used AMS resources for this contract.**
- Drafted food desert guidance used to determine pilot project selection criteria. **Used AMS resources for this contract.**
- Drafted a Healthy Food Financing Initiative concept paper and collaborated on development of an implementation plan. **Used AMS resources for this contract.**
- Contributed to a USDA concept paper on childhood obesity. **Used AMS resources for this contract.**

#### Publications

- **Supplemental Nutrition Assistance Program (SNAP) at Farmers Markets: A How-to Handbook.** Since the release in June, AMS received nearly 5,000 web hits; several market managers and planners have requested hard copies for training and reference.
- **Marketing Maine Tablestock Potatoes.** Since its release in February, the publication received more than 1,000 web hits. Maine Potato Board requested 200 copies to distribute to each of their farmer members.
- **Breaking Down Market Barriers for Small and Mid-Sized Organic Growers.** AMS collaborated with California Institute for Rural Studies. Since its release in November 2009, this has report received more than 1,700 web hits. The Packer reported the release of the report as one of their Top Stories." The report is archived on eXtension, the land-grant university online library, and the online Agricultural Marketing Resource Center (AgMRC) hosted by Iowa State University.
- **Connecting Local Farmers with USDA Farmers Market Nutrition Program Participants.** AMS collaborated with SE Pennsylvania Resource Conservation & Development Council. This publication received more than 500 web hits.
- **National Farmers Market Directory.** AMS instituted technology allowing market managers to submit updates electronically for the first time at an estimated savings of 544 man hours, or \$23,000. Six new data fields added: geographic coordinates for market location, number of vendors, acceptance of credit/debit cards and WIC cash value vouchers, and product categories and organic products offered.

#### Research and Information Collection

- **National Farmers Market Managers Survey.** Received more than 1,100 usable responses by mid-August.
- **Value Chain Workshops.** Co-hosted two intensive writeshops on food value chain development with the Wallace Center. How-to" manual for developing a successful food value chain and several prototype training and educational tools on value chain development will be published.
- **Impacts of Consumer Demographics on Target Marketing Effectiveness at Farmers Markets.** AMS partnered with Pacific Coast Farmers Market Association to look at consumer household demographics at 20 market sites in urban, suburban, and exurban communities. Households in market areas conforming to specific lifestyles have already been identified, and the target marketing campaigns began late 2010. **Contract cost: \$29,500**
- **Low and Mixed-Income Farmers Markets Study.** AMS analyzed demographic characteristics and food access of nine low and mixed-income

neighborhoods in NYC anchored by both successful and struggling farmers markets. **Used AMS resources for this contract.**

- **National Typology of Farmers Markets.** This is a continuing cooperative research project with Michigan State University and ERS which will create a typology of farmers markets to assist markets in developing planning and marketing strategies based on their site location and scale of operation. **Used AMS resources for this contract.**
- **What You Need to Know about GAPS, Food Safety. and Produce Identification.** Frequently Asked Questions that explain the who, what, when, where, and why of food safety programs, third-party audits, GAP/GHP programs and produce labeling, identification and trace-back initiatives.  
**Contract cost: \$10,000**

**USDA Farmers Market in Washington, D.C.**

- Managed outdoor and indoor market.
- Developed and submitted 12<sup>th</sup> Street traffic diversion plan to D.C. government to expand market and Peoples Garden.
- Stepped up publicity and awareness through monthly themes, special programs, and monthly cooking demonstrations by chefs.
- Initiated evaluation in September 2010 of customer satisfaction and changes in purchasing behavior brought about by the existence of a workplace farmers market.

**Technical assistance**--market site assessments, preliminary drawings, alternative energy analysis, and/or demographic analysis:

- In New Mexico, South Carolina (4), Alabama, Texas, New York and Florida
- Animal Plant & Health Inspection Service, Food & Drug Administration, Health & Human Services and Office Personnel Management sites in D.C.
- National Museum of the American Indian

**Conferences/Outreach Sessions and Webinars** on the following topics:

- Know Your Farmer, Know Your Food: 2
- Food Safety: 3
- Farmers Markets/Direct Marketing: 11
- Food Systems: 4

**FY 2011 Projects:**

- **National Study of Small-Scale Direct Distribution Models.** A final draft is completed of a best practices and lessons learned" resource guide for small and mid-sized farmers. It uses nine case studies of direct distribution models to inform farmers and food distributors about promising delivery mechanisms for locally grown food to retail and institutional clients. The guide, which includes an overview of the tradeoffs involved in market channel choices and various ownership and management structures, is being prepared for Departmental clearance.
- **Food Hub Research and Analysis.** Provide leadership for the Know Your Farmer, Know Your Food regional food hub subcommittee, chairing both the full task force and the smaller core tactical team, and overseeing the completion of the subcommittee's primary short term programmatic deliverables, the first of which will be a resource guide on food hub development, in September 2011. Associated activities that have been completed include:
  - o Series of telephone interviews and online surveys of approximately 90 existing regional food hub operations carried out by Federal staff, the Wallace Center of Winrock International and Project for Public Spaces, currently nearing completion.
  - o Publication of three blogs on the food hub concept for the USDA blog site in December 2010.
  - o Collaboration with the Department's Geospatial Officer and ArcGIS software developers to develop mapping applications and analytic tools for food hub planners and practitioners
  - o Assistance in organizing a March 2011 Departmental regional food hub meeting in Portland, Oregon.
  - o Working with representatives at Michigan State University, the University of Wisconsin, and other advisory board members to organize the first national conference in April 2011 on Making Good Food Work", a three-day participatory conference and incubation laboratory to be hosted in Detroit, Michigan.
- **Menands NY Farmers Market.** Create a new master plan and design support for improvements to an existing retail shed. Provided technical assistance, design support, and trade area analysis of local consumer demographics to the manager and Board of the Capital District Regional Market, Menands, New York, to support the market's planned transition to becoming a centralized, fully-coordinated regional food hub.
- **Black Belt Family Farm Fruit and Vegetable Market Center in Selma, AL.** Developed conceptual designs and market plans in collaboration with the

Alabama Farmers Market Authority, Alabama Agricultural Land Grant Alliance, Black Belt Farmers Cooperative, and Tuskegee University.

Mr. Kingston: Do you have any proposals to do additional wholesale market development projects in fiscal years 2011 and 2012?

Response: Current proposals under evaluation for Wholesale Market Development support during fiscal year 2011 are listed below. New projects for fiscal year 2012 will be evaluated after the first of the year.

- In-depth case studies of existing food hub entities and associated regional aggregation activities (e.g., Hunts Point's wholesale farmers market, collaborative small farm distribution/marketing in Oregon/Washington state) to examine impediments to serving retail and foodservice markets, and identify solutions to current sourcing, transportation, packaging and handling bottlenecks that prevent regional food hubs from reaching their full potential as a preferred source of locally/regional grown and raised foods for high-demand markets.
- Creating a community of practice for regional food hub managers and practitioners as a forum for exchanging technical information, best practices, and lessons learned. Also includes developing a suite of analytic tools and mapping applications in partnership with the Department's Geospatial Information Officer and ArcGIS software developers, that can help local food hub stakeholders make better informed strategic business decisions about transportation connections, available infrastructure, and appropriate distribution trade areas.
- Targeted analysis of the role that wholesale produce markets and permanent public/farmers markets can play in facilitating the development of viable regional food hubs by virtue of their infrastructure assets. AMS is working in continued partnership with relevant trade associations (United Fresh, NAPMM) that have expressed interest in pursuing this line of inquiry.
- Investigate the feasibility of alternative transportation modes (barge, train) for short haul movements of regional grown food products to aggregation points and customer destinations, as has been requested by multiple community stakeholder groups.
- Research into the changing role and business models of subscription agriculture (now an outlet for more than 12,000 producers in the U.S.), ranging from upfront investment and collective pickups to a more customized model of product selection and delivery, and an examination of the costs, opportunities, and profitability of these newly emerging business relationships.

Mr. Kingston: Provide a list of all research and promotion programs that receive funding from FAS, including how much each receives, for fiscal year 2010 and estimates for fiscal year 2011 and 2012.

Response: In FY 2010 and FY 2011 three Market Research and Promotion groups, chartered under authority of the Agricultural Marketing Service, participated in the Foreign Agricultural Service (FAS) Market Access Program. The FY 2012 MAP program announcement for

applications is pending and should be released shortly. Funding levels are (U.S. dollars) as follows:

- National Watermelon Promotion Board
  - o 2012 - TBD
  - o 2011 - \$262,381
  - o 2010 - \$241,524
- The Popcorn Board
  - o 2012 - TBD
  - o 2011 - \$377,780
  - o 2010 - \$351,592
- United States Potato Board
  - o 2012 - TBD
  - o 2011 - \$5.17 million
  - o 2010 - \$5.15 million

In addition, of the three groups, only United States Potato Board received funding under the Quality Samples Program (QSP), the Emerging Markets Program (EMP), and the Technical Assistance for Specialty Crops Program (TASC) in FY 2010 and 2011. As with MAP, the FY 2012 program announcements for applications are pending and should be released shortly. Funding levels for the programs are (U.S. dollars) as follows:

- QSP
  - o 2012 - TBD
  - o 2011 - \$360,000
  - o 2010 - \$455,000
- EMP
  - o 2012 - TBD
  - o 2011 - \$90,000
  - o 2010 - \$229,235
- TASC
  - o 2012 - TBD
  - o 2011 - \$359,548
  - o 2010 - \$0

Mr. Kingston: Please provide a table showing obligations by geographic area to include fiscal years 2005 through 2010.

Response: The information is submitted for the record.

[The information follows:]

**FEDERAL-STATE MARKETING IMPROVEMENT PROGRAM FUNDING TABLE (FSMIP)**  
**Geographic Breakdown of Obligations**

	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Alabama.....	- -	- -	\$14,995	\$45,750	- -	- -
Alaska.....	- -	- -	59,845	- -	- -	- -
Arizona.....	- -	- -	49,275	- -	- -	- -
Arkansas.....	\$60,000	\$51,455	30,000	- -	- -	- -
California.....	49,000	138,920	- -	- -	\$198,250	- -
Colorado.....	- -	36,170	58,000	30,500	48,500	\$42,000
Connecticut.....	- -	- -	- -	- -	- -	- -
District of Columbia.....	- -	- -	- -	- -	- -	- -
Delaware.....	30,000	- -	- -	64,170	- -	- -
Florida.....	28,000	49,955	72,000	27,600	- -	118,915
Georgia.....	63,800	99,270	- -	68,090	- -	63,275
Hawaii.....	50,000	28,500	50,000	54,400	41,500	- -
Idaho.....	- -	45,000	54,500	- -	48,000	- -
Illinois.....	- -	- -	- -	- -	- -	- -
Indiana.....	- -	- -	- -	- -	60,500	- -
Iowa.....	- -	- -	- -	- -	- -	- -
Kansas.....	28,800	- -	- -	83,150	- -	- -
Kentucky.....	78,870	52,610	33,375	55,780	- -	38,550
Louisiana.....	37,600	- -	- -	- -	69,000	61,295
Maine.....	- -	- -	- -	55,805	65,000	- -
Maryland.....	- -	42,500	50,000	50,800	- -	121,445
Massachusetts.....	52,530	36,670	95,425	37,520	38,000	38,870
Michigan.....	24,000	41,245	47,410	48,000	- -	48,000
Minnesota.....	53,000	85,600	- -	- -	92,500	- -
Mississippi.....	- -	50,425	55,875	- -	47,150	43,690
Missouri.....	80,000	27,325	- -	42,000	- -	- -
Montana.....	80,000	- -	- -	- -	- -	142,085
Nebraska.....	178,000	- -	- -	50,000	- -	68,095
Nevada.....	- -	- -	- -	- -	- -	- -
New Hampshire.....	- -	- -	- -	- -	- -	- -
New Jersey.....	56,500	- -	85,000	- -	89,000	51,215
New Mexico.....	53,500	12,300	105,095	- -	40,500	- -
New York.....	- -	50,365	- -	- -	37,200	134,060
North Carolina.....	- -	- -	61,400	- -	- -	- -
North Dakota.....	- -	45,000	- -	- -	- -	59,735
Ohio.....	- -	- -	105,940	- -	- -	54,375
Oklahoma.....	69,500	- -	56,365	- -	47,150	- -
Oregon.....	- -	- -	43,000	60,200	- -	55,850
Pennsylvania.....	- -	50,000	- -	- -	- -	- -
Rhode Island.....	- -	- -	- -	54,780	- -	- -

## FEDERAL-STATE MARKETING IMPROVEMENT PROGRAM FUNDING TABLE (FSMIP)

## Geographic Breakdown of Obligations

	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
South Carolina.....	- -	- -	- -	109,200	74,500	109,000
South Dakota.....	60,000	92,680	- -	- -	- -	- -
Tennessee.....	- -	- -	- -	- -	- -	- -
Texas.....	- -	65,740	- -	- -	- -	- -
Utah.....	- -	- -	- -	44,985	- -	- -
Vermont.....	- -	44,000	- -	55,000	48,000	- -
Virginia.....	110,000	45,710	- -	- -	152,000	- -
Washington.....	- -	53,600	183,500	107,185	87,250	- -
West Virginia.....	- -	43,000	- -	- -	- -	- -
Wisconsin.....	- -	- -	- -	- -	50,000	- -
Wyoming.....	- -	45,490	23,000	72,840	- -	83,545
Guam.....	- -	- -	- -	26,900	- -	- -
Puerto Rico.....	92,900	- -	- -	34,500	- -	- -
U.S.Virgin Islands.	- -	- -	- -	45,845	- -	- -
Subtotal	1,336,000	1,333,530	1,334,000	1,325,000	1,334,000	1,334,000
Non-matching grants specified in annual appropriations language:						
Florida.....	5,952,000					
Wisconsin.....	2,480,000	2,475,000	1,875,000	1,862,000	338,000	350,000
Total	9,768,000	3,808,530	3,209,000	3,187,000	1,672,000	1,684,000

Mr. Kingston: Please provide a table showing the amounts expended for Emergency Surplus Removal and Disaster Relief for fiscal years 2005 through 2010. Add a similar table sharing the amounts expended from Section 32 to restore producer purchasing power.

Response: The information is submitted for the record.

[The information follows:]

Emergency Surplus Removal  
(Dollars in Thousands)

Fiscal Year	Obligated
2005 .....	\$149,496
2006 .....	81,010
2007 .....	56,891
2008 .....	53,654
2009 .....	319,513
2010 .....	300,888

Disaster Relief  
(Dollars in Thousands)

Fiscal Year	Obligated
2005 .....	\$40,597
2006 .....	1,901
2007 .....	11,317



2008	.....	1,722
2009	.....	0
2010	.....	282

Restore Producer Purchasing Power  
(Dollars in Thousands)

Fiscal Year	Obligated
2005	\$278,763
2006	700,000
2007	101,650
2008	0
2009	750
2010	83,375

Mr. Kingston: The Secretary has the authority to use section 32 funds to remove surplus commodities from the market and bolster producer prices. Provide a list of each time the Secretary used this authority and the amount used for fiscal years 2009 and 2010, and to date in fiscal year 2011. Please describe the procedure by which USDA determines that a surplus exists in the marketplace.

Response: The information is submitted for the record.

[The information follows:]

Surplus Removal Commodities (Dollars in millions)	2009	2010
Apple Products	\$13.9	\$49.7
Beans	24.9	
Blueberries		7.0
Caneberries(rasp, black,etc.)	11.0	
Cherries		33.1
Cranberry Products		17.9
Dates		2.7
Figs		5.0
Mixed Fruit		17.9
Orange Juice	29.5	
Peaches		13.0
Pears		7.8
Plum Products (incl. prunes)		10.8
Potato (incl. sweet)*		25.3
Strawberries		7.0
Tomatoes	2.7	5.8
Walnuts	27.7	
Subtotal, Specialty Crops	109.7	203.0
Beef		37.4
Catfish	5.0	8.3
Lamb	3.3	1.9
Pork	96.5	36.7

Chicken	46.4	13.6
Turkey	58.6	
Total, Surplus Removal Commodities	319.5	300.9

To date, in fiscal year 2011, AMS has not purchased surplus removal commodities.

Determination of Surplus: USDA must constantly evaluate individual commodity markets and ensure that cyclic downturns in prices and negative returns to producers do not jeopardize the long-term viability of the Nation's production capacity. Agricultural production varies from year to year. Weather, growing conditions, and cyclical production patterns contribute to variations in supply. USDA conducts bonus commodity purchases, also known as surplus removal purchases, to help stabilize prices in agricultural commodity markets.

Our decisions on whether or not to support a particular market through Section 32 purchases are based on an objective analysis of market factors. To determine the need for a bonus commodity purchase, an economic assessment of commodity market conditions is conducted. Demand factors such as domestic consumption and exports are examined in relationship to supply factors such as domestic production, imports, and inventories. Prices paid to producers relative to costs of production can play an important role in determining whether the industry is in a state of excess supply. Determinations of the need for a bonus commodity purchase generally address current market conditions that may be improved in the short run by a surplus removal.

## EXPORT PURCHASES

Mr. Kingston: Were any export purchases made in fiscal year 2009 and 2010? If so, please list the commodities and which countries received the purchases.

Response: AMS did not make any export purchases in fiscal years 2009 and 2010. The export program has not been active since fiscal year 1996, in which AMS purchased \$23.9 million of sunflower seed oil and cottonseed oil to facilitate additional sales of such oils in world markets.

Mr. Kingston: Please provide a table showing section 32 commodity purchases from fiscal year 2005 through 2010.

Response: The information is submitted for the record.

[The information follows:]

TOTAL SECTION 32 COMMODITY PURCHASES  
(Dollars in Thousands)  
(Pounds in Thousands)

[illegible]

Apple Juice	32,963	8,960	--	--	19,778	6,529	7,973	3,753	10,031	4,274	66,149	18,865
Apple Cherry Juice	--	--	--	--	--	--	1,795	978	2,966	1,636	45,110	18,450
Apple Slices, Canned	7,406	2,914	10,386	4,264	9,710	4,727	13,729	8,641	12,271	7,980	13,163	6,440
Apple Slices, Frozen	5,721	1,859	3,920	1,263	7,175	2,672	1,030	540	5,029	1,854	12,118	3,669
Apples, Fresh	10,860	3,325	3,085	1,010	2,455	868	2,241	1,040	4,477	4,931	8,044	6,319
Applesauce	29,660	9,656	44,288	13,830	34,105	11,686	45,186	20,936	48,517	24,302	89,682	37,222
Apricots, Canned	2,805	1,371	--	--	7,014	3,602	11,167	7,601	11,432	7,346	15,955	10,260
Apricots, Frozen	152	85	--	--	1,137	982	1,264	1,216	2,222	2,375	1,738	2,005
Asparagus, Canned	3,683	3,327	1,688	1,396	1,519	1,389	--	--	--	--	--	--
Asparagus, Frozen	1,224	1,173	180	169	288	319	--	--	--	--	--	--
Beans, Canned	--	--	6,299	1,675	15,411	4,834	18,363	7,298	18,764	8,140	11,584	4,132
Beans, Green, Canned	--	--	12,786	3,937	27,364	9,114	36,366	15,581	39,122	19,624	25,333	10,474
Beans, Dry	480	214	27,504	9,215	136	41	14,241	7,817	57,258	29,006	600	224
Beans, Green, Frozen	3,842	1,845	5,149	2,472	2,772	1,403	3,260	1,808	3,959	2,137	3,709	1,472
Beans, Refried,	--	--	3,078	1,049	5,080	1,702	4,789	2,022	4,915	2,598	3,556	1,651
Beans, Vegetarian,	--	--	4,611	1,198	6,614	1,769	8,226	2,896	8,950	3,491	6,229	2,083
Beef, Canned	--	--	--	--	540	1,079	144	316	--	--	--	--
Beef, Frozen Ground	69,268	106,586	115,767	164,695	128,336	192,523	78,204	120,756	57,710	99,538	101,844	175,961
Beef Patties	6,932	11,231	11,906	18,038	12,008	18,926	6,422	11,064	6,190	10,787	6,174	11,329
Beef Roast	400	539	2,720	3,819	4,400	6,389	2,760	4,491	845	1,369	10,717	37,397
Beef, Sloppy Joe &	1,360	2,393	1,560	2,402	--	--	168	423	1,016	2,522	992	2,540
Blueberries, Dried	--	--	--	--	92	410	--	--	562	2,171	324	1,369
Blueberries, Frozen	--	--	--	--	277	756	713	1,250	24,130	25,885	14,259	13,939
Carrots, Canned	--	--	--	--	--	--	13,046	6,328	10,683	6,113	3,747	1,624
Carrots, Baby Fresh	--	--	--	--	--	--	--	--	--	--	607	514
Carrots, Frozen	--	--	--	--	--	--	2,560	1,080	3,564	1,499	4,792	1,592
Catfish	--	--	--	--	--	--	--	--	1,293	4,960	2,214	8,385
Cherries, Canned	--	--	528	282	669	176	97	--	--	--	247	151
Cherries, Dried	--	--	2,775	10,958	2,927	11,162	2,573	10,036	1,390	4,948	5,293	18,535
Cherries, Frozen	--	--	7,787	5,654	6,413	5,058	3,878	3,205	2,413	2,400	4,877	3,517
Chicken, Chilled	74,994	42,705	144,162	74,775	136,337	89,297	132,53	82,952	169,83	119,45	152,721	89,817
Chicken, Cooked	3,866	5,608	5,541	7,599	9,870	14,692	4,654	7,654	--	--	312	533
Chicken, Canned Boned	2,860	5,318	938	1,625	1,275	2,340	488	1,018	--	--	565	1,151
Chicken, Diced	6,446	13,579	10,116	15,392	10,852	18,688	1,158	2,710	--	--	2,221	5,074
Chicken, Fajitas	1,947	3,362	4,472	7,549	7,218	13,120	3,978	8,669	--	--	932	1,580
Chicken, Frozen, Cut-	10,410	6,877	62,283	23,642	8,510	5,713	5,671	4,215	5,682	4,292	9,690	7,803
Chicken, Musquets	39	67	--	--	39	64	63	104	--	--	--	--
Chicken, Patties	39	67	--	--	1,404	2,234	411	860	--	--	--	--
Corn, Canned	9,810	3,610	20,765	6,384	13,635	4,697	20,205	7,993	21,026	10,264	26,103	10,336
Corn, Frozen	18,005	6,574	15,404	5,667	6,938	3,384	15,127	9,148	15,889	9,193	19,139	6,381
Cranberries, Dried	1,486	3,004	--	--	173	426	347	1,022	347	1,049	1,452	2,284
Cranberry Apple Juice	--	--	--	--	--	--	--	--	--	--	23,174	8,439
Cranberry Juice	30,321	21,825	6,733	4,972	--	--	--	--	--	--	--	--
Cranberry Sauce	14,738	6,049	5,183	2,271	--	--	332	174	664	281	14,985	7,430
Cranberries, Frozen	685	493	--	--	--	--	--	--	--	--	--	--
Date Pieces	--	--	--	--	--	--	684	1,855	--	--	936	2,674
Egg Mix	360	514	--	--	--	--	--	--	--	--	--	--
Eggs, Whole, Frozen	8,603	3,448	15,128	6,041	10,163	6,172	3,862	3,781	7,452	4,305	20,906	12,027
Dried Pies	5,076	5,642	5,930	6,876	--	--	--	--	--	--	4,676	4,974
Fowl, Light Bulk	--	--	36	11	--	--	--	--	108	32	--	--
Goose Meat Frozen	--	--	--	--	351	810	--	--	--	--	--	--
Grape Juice, Canned	--	--	22,639	8,587	19,514	8,081	7,661	3,569	3,869	2,193	--	--

Grapefruit Juice	--	--	--	--	10.046	9.089	33.591	18.530	--	--	--	--
Ham, Cooked, Frozen	4.120	5.780	4.840	6.756	8.040	12.986	--	--	--	--	--	--
Ham Roast	--	--	120	162	160	215	--	--	--	--	--	--
Lamb Roast	--	--	72	195	324	988	144	628	936	3.310	432	1894
Mixed Fruit, Canned	26.597	12.112	7.402	3.865	--	--	--	--	--	--	48.839	23.015
Oranges, Fresh	890	249	--	--	--	--	--	--	749	259	674	230
Orange Juice, Canned	--	--	--	--	--	--	7.593	3.316	53.059	21.008	--	--
Orange Juice, Frozen	--	--	--	--	--	--	811	1.558	26.260	10.896	5.341	2.723
Peaches, Canned	65.250	29.219	--	--	22.503	11.477	44.226	26.326	49.283	31.002	88.856	39.703
Peaches, Frozen	11.190	8.932	5.547	4.626	8.156	7.038	24.387	24.145	8.282	7.968	24.144	21.290
Pears, Canned	34.661	15.266	28.464	14.128	43.766	21.642	36.938	20.567	36.926	23.574	42.194	24.525
Pears, Fresh	925	347	--	--	2.295	951	2.957	1.446	567	251	2.795	1.307
Peas, Canned	--	--	--	--	5.948	2.710	13.645	6.855	9.879	5.513	5.804	2.567
Peas, Frozen	--	--	--	--	--	--	3.871	2.664	3.965	2.481	3.872	1.656
Pineapple, Canned	31.811	19.857	38.089	27.540	2.792	2.073	--	--	--	--	--	--
Plums, Canned	--	--	--	--	--	--	586	321	--	--	--	--
Plums, Dried	--	--	--	--	--	--	--	--	--	--	9.488	10.826
Pork, Boneless	--	--	8.603	8.285	--	--	--	--	--	--	--	--
Pork, Canned	--	--	--	--	349	572	1.188	2.624	15.262	29.427	228	472
Pork, Frozen, Ground	--	--	160	233	160	223	--	--	--	--	--	--
Pork, Loin	1.640	2.319	--	--	3.680	4.815	2.000	2.613	3.130	3.702	--	--
Pork, Rib Pattv	480	834	152	219	494	687	4.000	8.598	30.514	56.950	17.898	36.205
Pork, Breaded	--	--	360	517	680	1.144	--	--	--	--	--	--
Pork, Roast	4.722	4.798	--	--	5.443	4.637	1.041	851	667	588	--	--
Pork, Sloppy Joe &	2.320	3.468	480	649	1.280	1.552	--	--	--	--	--	--
Potatoes, Oven Fries	16.779	6.665	27.195	11.506	7.207	3.585	14.098	6.976	9.108	4.444	25.978	11.033
Potato Rounds, Frozen	19.285	7.248	22.792	9.323	9.940	4.612	20.394	9.226	14.494	6.170	25.344	11.160
Potato Wedges, Frozen	15.663	6.220	21.394	9.091	4.277	2.089	14.534	7.624	10.692	5.403	25.027	11.634
Potatoes, Canned	--	--	--	--	--	--	839	358	4.873	2.575	--	--
Potatoes, Dehydrated	31.299	21.605	--	--	7.080	440	17.347	1.491	2.816	1.533	30.960	1.596
Potatoes,	760	114	71.020	4.778	112.879	8.109	98.400	7.795	79.800	8.079	229.560	25.007
Potatoes, Round White	240	25	--	--	--	--	--	--	--	--	120	25
Raisins	--	--	1.294	1.202	--	--	2.501	3.132	1.893	2.393	2.183	2.900
Raniberry Puree	--	--	--	--	155	141	--	--	--	--	--	--
Salsa, Canned	7.722	2.784	4.053	1.492	5.575	2.223	10.948	4.367	9.099	4.251	9.244	3.589
Salmon, Canned	8.508	8.365	2.159	2.232	--	--	--	--	--	--	--	--
Sopibetti Sauce	13.996	3.426	6.496	1.613	7.782	2.071	18.600	5.610	18.109	6.455	12.565	4.013
Solinch, Canned	--	--	--	--	--	--	41	23	--	--	--	--
Strawberries, Frozen	--	--	--	--	7.618	7.460	10.429	10.572	9.776	10.124	21.425	21.896
Sweet Pot., Canned	17.963	10.737	27.172	11.508	2.197	1.080	12.303	7.023	2.292	1.089	2.665	1.235
Sweet Potatoes, Fresh	3.682	1.157	320	75	--	--	966	162	1.240	218	4.560	856
Sweet Potatoes, Fro.	832	549	309	181	--	--	396	243	317	212	--	--
Tomato Sauce, Canned	4.450	1.043	999	259	2.865	785	7.897	2.629	8.868	3.440	6.819	2.860
Tomatoes, Canned	5.497	1.574	2.690	838	3.369	1.118	24.622	8.555	7.926	3.608	5.179	1.797
Tomatoes, Fresh	--	--	--	--	3.760	2.130	3.640	2.508	6.880	4.466	12.680	5.820
Tomatoes, Paste	6.791	2.562	519	195	9.193	3.789	--	--	--	--	--	--
Trail Mix	--	--	326	768	931	1.754	3.362	8.381	--	--	--	--
Tuna, Canned	--	--	--	--	2.519	5.618	--	--	--	--	--	--
Turkey, Deli Svie	2.272	4.272	--	--	5.407	13.379	3.634	7.393	1.242	2.230	--	--
Turkey, Chilled	11.457	7.979	24.299	18.646	28.008	23.684	15.708	14.236	63.000	78.855	39.888	32.572
Turkey, Frozen	1.473	1.526	955	1.011	1.892	2.235	852	1.122	474	623	--	--
Turkey, Ham	5.964	7.000	6.821	8.699	10.400	14.057	1.998	2.891	719	930	--	--

Turkev, Roast	11.552	16.309	7.384	10.684	14.986	29.204	2.958	5.045	1.466	2.116	--	--
Turkev, Sausage	--	--	--	--	--	--	--	--	--	--	--	--
Turkev, Whole, Frozen	376	319	246	214	1.330	1.322	319	350	871	755	570	667
Vegetable Soup	--	--	--	--	--	--	471	278	--	--	--	--
Walnuts	--	--	--	--	--	--	--	13.266	27.724	--	--	--
DOD Fresh Program	--	50.000	--	50.000	--	50.000	7.062	53.531	--	60.000	--	65.000
<b>Total</b>	737.60	\$48.818	908.082	630.865	907.984	721.751	972.70	699.369	1.123	906.81	1.452.0	939.658

## SECTION 32 ADMINISTRATIVE FUNDS

Mr. Kingston: Provide a table showing the details of the administrative expenses account to include fiscal years 2009, 2010 and estimated 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

Administrative Funds for Section 32  
(Dollars in Thousands)

Item	FY 2009	FY 2010	FY 2011	FY 2012
	Actual		Estimated	
Commodity Purchase Services	\$31,092	\$22,276	\$27,110	\$27,731
Marketing Agreements and Orders	17,124	19,802	20,056	20,056
Total	48,216	42,078	47,166	47,787

## LIMITATION ON ADMINISTRATIVE EXPENSES

Mr. Kingston: Provide a table showing the object class breakout for the limitation on administrative expenses account to include fiscal year 2009 and 2010 actuals and fiscal years 2011 and 2012 estimates.

Response: The information is submitted for record.

[The information follows:]

Limitation on Administrative Expenses: Cotton & Tobacco User Fee ActivityObjects Class Breakdown

	2009	2010	2011	2012
	<u>Actual</u>	<u>Actual</u>	<u>Estimated</u>	<u>Estimated</u>
11.1 Full-time permanent	\$8,426,889	\$8,390,598	\$12,704,000	\$12,968,000
11.3 Other than full-time permanent	7,083,473	7,861,256	14,942,000	15,259,000
11.5 Other personnel compensation	995,002	1,181,937	2,838,000	2,897,000
Total personnel compensation	16,505,364	17,433,791	30,484,000	31,124,000
12 Personnel benefits	3,947,543	3,664,699	5,102,000	5,211,000
13 Benefits for former personnel	1,789,014	2,010,557	2,482,000	2,522,000
Total personnel compensation and benefits	22,241,921	23,109,047	38,068,000	38,857,000
Other Objects:				
21 Travel	402,036	1,205,094	992,000	1,008,000
22 Transportation of things	1,453,288	1,335,106	2,960,000	3,007,000
23.1 Rental payments to GSA	0	0	107,000	109,000
23.2 Rental payments to others	3,970,435	3,935,397	4,021,000	4,085,000
23.3 Communications, utilities and miscellaneous charges	3,149,545	4,646,686	3,856,000	3,918,000
24 Printing and reproduction	70,969	32,803	88,000	89,000
25.1 Advisory and assistance services	2,061	0	0	0
25.2 Other services	973,387	816,591	436,000	443,000
25.3 Purchases of goods and services from Government accounts	3,027,805	2,766,218	1,758,000	1,785,000
25.4 Operation and maintenance	-8	601	0	0
25.5 Research and development contracts	9,158	12,698	18,000	19,000
25.6 Medical care	234	0	3,000	3,000
25.7 Operation and maintenance of equipment	2,407,160	922,435	1,442,000	1,465,000
26 Supplies and materials	407,440	572,032	732,000	744,000
31 Equipment	3,448,513	1,712,673	6,446,000	6,549,000
41 Grants, Subsidies, and Contribution				
42 Insurance Claims and Indemnities	9,520	30,009	20,000	20,000
43 Interest and Dividends		707		
Total other objects	19,331,543	17,989,050	22,879,000	23,244,000
Total User Fee	41,573,464	41,098,097	60,947,000	62,101,000

## TRANSPORTATION REGULATORY ACTIONS

Mr. Kingston: How many transportation regulatory actions did AMS participate in during fiscal year 2009 and 2010?

Response: AMS participated in one transportation regulatory action in fiscal year 2009 and one in 2010.

AMS filed USDA comments with the Surface Transportation Board in support of agricultural shippers and rural electric cooperatives concerned with railroad rates and services as follows:

- Fiscal year 2009 - USDA supported a review of the Uniform Rail Costing System used for rail rate appeals and rail line abandonments.
- Fiscal Year 2010 - USDA supported the use of up to four years of sample data in the development of comparison groups used in rate appeals.

#### PLANT VARIETY PROTECTION ACT

Mr. Kingston: Provide a table for the Plant Variety Protection Act that shows the number of applications received, the number of applications pending action, the number of applications approved, the number of certificates issued, and the number that expired to include fiscal year 2009 and 2010. Also include the average time it takes AMS to approve of an application - from the time of receipt to final approval.

Response: The information is submitted for the record.

[The information follows:]

Plant Variety Protection Program  
Status of Application

	FY 2009	FY 2010
Applications received	492	598
Applications pending action	928	1,112
Applications approved <sup>1/</sup>	414	431
Certificates issued	307	307
Certificates that are abandoned, denied, ineligible, or withdrawn	68	69
Certificates that have expired	213	314

<sup>1/</sup> The totals include the 307 that were actually issued plus 107 (in 2009) or 124 (in 2010) that were recommended for issuance by the examiner but the final certificate of protection had not yet been issued.

In fiscal years 2009 and 2010, the Plant Variety Protection Office issued 307 applications in both years which had an average processing time of 2 years.

In fiscal year 2010, 307 applications were issued; the average processing time was 842.5 days or 27.62 months or 2.31 years.

The number of applications approved doesn't necessarily increase from year to year due to several factors:

- The number of applications received is dependent on the economics of seed developers, the value of the varieties they develop and many other

factors. The PVP application process is voluntary and totally funded by user fees.

- Applications pending action = Prior year applications pending action + current year application received - applications approved - applications abandoned, etc.
- Applications approved are based on the number of staff available within the Plant Variety Protection Office (PVPO) to complete PVP examination and the quality of the PVP applications submitted.
- Certificates issued are directly related to the same factors as applications approved.
- Applications abandoned, etc. are dependent on the quality of the PVP applications, PVP applicants willingness to provide required information, and value of the applicant's variety.
- Certificates expired are dependent on what PVP applications were issued 18 to 20 years ago.

#### RESEARCH AND PROMOTION PROGRAMS

Mr. Kingston: Were any new research and promotion programs added in fiscal year 2009 and 2010? Do you expect to add any in fiscal year 2010 or 2011?

Response: During fiscal year 2009, no new research and promotion programs were added. In fiscal year 2010, the Raspberry industry initiated a new program that is expected to go to referendum later this fiscal year. The Christmas Tree and Softwood Lumber industries have both initiated new programs in FY 2011 which are currently in clearance. Discussions have taken place with representatives of the Hardwood Lumber and Paper Industries for possible programs in FY 2011.



## RESEARCH COOPERATIVE AGREEMENTS

Mr. Kingston: Provide a table that displays research cooperative agreements for fiscal years 2009 and 2010.

Response: AMS enters into cooperative agreements that support applied research on marketing issues, rather than basic scientific research. Below is a listing of the agreements for fiscal years 2009 and 2010.

[The information follows:]

Fiscal Year 2009 Research Cooperative Agreements			
Agreement Number	Cooperator	Project	Amount
A-5068	Upper Great Plains Transportation Institute	Agricultural Transportation Information Center for Research and Policy Phase I	\$34,470
A-5069	Agricultural Transportation Research Institute	Agricultural Shippers Workshop and Summary Report Phase I	8,900
A-5082	University of Sao Paulo, Brazil	Brazil Soybean Transportation Report	26,000
A-5194	Upper Great Plains Transportation Institute	Agricultural Transportation Information Center for Research and Policy Phase II	55,660
A-5195	Michigan State University	National Survey of U.S. Farmers Market Managers Phase I	22,000
A-5197	Agricultural Transportation Research Institute	Agricultural Shippers Workshop and Summary Report Phase II	33,000
Total			180,030
Fiscal Year 2010 Research Cooperative Agreements			
Agreement Number	Cooperator	Project	Amount
A-5222	Winrock International	Value Chain Research Phase I	\$11,000
A-5254	University of Sao Paulo, Brazil	Brazil Soybean Report	26,000
A-5263	Michigan State University	National Survey of U.S. Farmers Market Managers Phase II	56,000
A-5268	Agricultural Transportation Research Institute	Agricultural Shippers Workshop and Summary Report	39,000
A-5269	Winrock International	Value Chain Research Phase II	16,000
A-5277	Upper Great Plains Transportation Institute	Agricultural Transportation Information Center for Research and Policy	57,860
A-5355	Texas AgriLife Research	Impacts of Improvements in Brazil's Transportation Infrastructure on the U.S. Cotton Industry	15,500
Total			221,360

## MANDATORY PRICE REPORTING

Mr. Kingston: Under Market News Services, how much did AMS spend for mandatory price reporting in FY 2009 and 2010 and how much does the Agency plan to spend in FY 2011 and FY 2012? How much of that amount does AMS plan to spend on Livestock Price Reporting in FY 2011? How much in FY 2012?

Response: The information is submitted for the record.

[The information follows:]

Agricultural Marketing Service  
Market News  
Mandatory Reporting

Fiscal Year	Amount (\$000)
2009 Actual	\$6,514
2010 Actual	6,683
2011 Estimate <sup>1/</sup>	6,761
2012 Estimate <sup>2/</sup>	6,474

<sup>1/</sup> Includes \$78 thousand (FY 2011 only) for the initial discovery phase which is the first step towards the development of an Dairy Mandatory Reporting electronic system, that would leverage the Agency's existing Livestock Mandatory Reporting System.

<sup>2/</sup> Includes a reduction of \$209 thousand which is gained through program efficiencies proposed in the FY 2012 Market News program.

All of funds reported in the table are for livestock mandatory reporting with the exception of a one-time expenditure of \$78,000 in FY 2011 for the discovery phase for implementing an electronic reporting system for Dairy Mandatory Reporting.

## SECTION 32 UNOBLIGATED BALANCES

Mr. Kingston: Please provide a ten-year table, including fiscal year 2010, showing Section 32 end-of-year unobligated balances.

Response: The information is submitted for the record.

[The information follows:]

Section 32 End-of-Year Unobligated Balances  
(Dollars in Thousands)

Fiscal Year	Unobligated Balances
2001	107,825
2002	192,156
2003	134,322
2004	408,051
2005	286,160
2006	146,760
2007	500,000
2008	293,530
2009	375,374
2010	0

## SECTION 32 OBLIGATIONS

Mr. Kingston: Please provide a ten-year table, including projected fiscal year 2011, that shows total obligations for Section 32 purchases, and obligations that were incurred in September of each fiscal year for those ten years.

Response: The information is submitted for the record.

[The information follows:]

Section 32 Obligations  
(Dollars in Thousands)

Fiscal Year	Obligations	September Obligations
2002	606,833	141,670
2003	422,090	137,463
2004	626,475	324,287
2005	548,817	76,744
2006	630,802	144,273
2007	721,752	53,271

2008	699,369	95,549
2009	906,812	90,823
2010	939,658	201,323
2011 est.	614,534	122,906*

\* Section 32 purchases are estimated for FY 2011 since purchasing decisions are a function dependent on market conditions which we are unable to predict at this time. Note also that National School Lunch Program purchases support the operational schedule of the Nation's public school system.

#### DEFECTIVE COMMODITIES

Mr. Kingston: How much did AMS spend in 2009 and 2010 on removal of defective commodities? How much does AMS plan to spend on this effort in FY 2011 and 2012? Have any of these funds been obligated to date? What is a defective commodity and what does AMS do with those commodities after they are removed?

Response: In fiscal year 2009, AMS spent \$29 thousand for removal of defective peanut products recalled for salmonella contamination. In fiscal year 2010, AMS did not have any expenses for removal of defective commodities. At the beginning of each year, the Secretary authorizes \$2.5 million for the removal of defective commodities, which is reserved in the event AMS has to respond quickly to a public health risk. Through March 10 of the current fiscal year, there have been no incidents that have required the Agency to draw upon this authority.

A defective commodity is defined as any commodity purchased for distribution under the various domestic nutrition assistance programs that the Secretary determines poses a health or safety risk. After a commodity has been removed for health or safety reasons, it is disposed of according to the type of commodity involved.

#### SECTION 32 DIRECT PAYMENTS

Mr. Kingston: What plans does AMS have to spend funds on the Section 32 direct payment program in fiscal year 2011? Have any of these funds been obligated to date? What commodities qualify for the direct payment program? How does AMS evaluate what commodities are approved for this program?

Response: For fiscal year 2011, the Secretary authorized \$390 million of Section 32 funds for direct payment to producers of upland cotton, rice, soybeans, and sweet potatoes who suffered losses during the 2009 crop year. The distribution of funds was completed in the first quarter of the fiscal year.

This provision may be used to support producers of any agricultural commodity. The Department's evaluation process determines whether a particular industry segment or commodity is facing a long-term chronic oversupply, if market prices are well below normal, or if a particular situation cannot be corrected by more conventional means.

## EMERGENCY SURPLUS REMOVALS

Mr. Kingston: How much did AMS spend on emergency surplus removal in fiscal year 2009 and 2010? How much does the Department expect to spend in fiscal year 2011? Have any of these funds been obligated to date?

Response: AMS spent \$319.5 million in fiscal year 2009 and \$300.9 million in fiscal year 2010 on emergency surplus removal activities. As of March 10, 2011, no emergency surplus removal purchases have been made, however this activity is often seasonal in nature due to crops and environmental impacts. It is difficult to predict the need that will arise in a current year; however, as a result of the favorable economic environment for domestic agriculture in fiscal year 2011, we anticipate a reduced need for emergency support compared to the previous two fiscal years.

Mr. Kingston: How much did AMS spend in fiscal year 2009 and fiscal year 2010 on directed purchases, emergency surplus removal, direct payment program, and diversion payment program? Please provide a breakout of these obligations by each of these categories and by commodity.

Response: AMS did not have any directed purchases or diversion payment programs in fiscal year 2009 and fiscal year 2010.

[The information follows:]

Direct Payment Program FY 2009 (Dollars in Thousands)	
Producers in North Dakota as a result of flooding that ravaged the region	\$750

Direct Payment Program FY 2010 (Dollars in Thousands)	
Support to South Dakota's Cheyenne River and Standing Rock Sioux Tribes as a result of severe winter weather conditions	\$3,375
Poultry producers in Arkansas who suffered losses in December 2008	60,000
Farm-raised aquaculture producers in Arkansas during calendar year 2009	20,000
Total	83,375

Emergency Surplus Removal FY 2009 (Dollars in Millions)	
<u>Commodity</u>	<u>Funding</u>
Apple Products	\$13.9
Beans	24.9
Blueberries	11.0
Catfish	5.0
Chicken	46.4
Lamb	3.3
Orange Juice	29.5
Pork	96.5
Tomatoes	2.7
Turkey	58.6
Walnuts	27.7
Total	319.5

Emergency Surplus Removal FY 2010 (Dollars in Millions)	
<u>Commodity</u>	<u>Funding</u>
Apple Products	\$49.7
Beef	37.4
Blueberries	7.0
Catfish	8.3
Cherries (incl. red tart)	33.1
Chicken	13.6
Cranberry	17.9
Dates	2.7
Figs	5.0
Lamb	1.9
Peaches & Mixed Fruits	30.9
Pears	7.8
Plums (incl. dried)	10.8
Pork	36.7
Potatoes (incl. sweet)	25.3
Strawberries	7.0
Tomatoes	5.8
Total	300.9

## COUNTRY-OF-ORIGIN LABELING

Mr. Kingston: What activities are AMS conducting related to surveillance and enforcement of Country-of Origin Labeling? What is the total cost and what enforcement actions has the Agency been involved in?

Response: In FY 2010, the total appropriation for the Country of Origin Labeling (COOL) program provided to AMS was \$10.6 million. Since the implementation of the COOL final rule in March 2009, AMS has reimbursed State agencies approximately \$8.8 million for performing retail surveillance reviews.

There are over 37,000 retail facilities subject to the COOL regulations in the United States. Since the final rule went into effect, we have established a robust compliance and enforcement program and overseen the review of more than 13,000 retail stores. Through a random selection process, retail store reviews are conducted to measure the level of compliance. Specific findings of non-compliance are always identified in a letter to the retailer when a covered commodity is found to be not labeled for COOL, when a commodity is incorrectly labeled, or if records to verify a COOL claim are not adequately maintained. The retailer is allowed 30 days to respond with corrective and preventative measures to these findings. Follow-up reviews are conducted at the retail facilities with high levels of non-compliance to ensure corrective measures are effective. Retail store reviews have been conducted in all 50 states, the District of Columbia, and the Commonwealth of Puerto Rico.

The COOL program also requires suppliers to accurately convey origin information to retailers. To verify supplier compliance covered commodities are randomly selected for audits. In FY 2009, the records for 200 commodity items were randomly selected for audit. The results of the audits indicate that 443 suppliers were identified as being in the retail supply chains for the 200 items, and 26 suppliers were cited for findings of non-compliance with the COOL regulation. We plan to conduct 400 audits this year on individual commodity items identified during the FY 2010 retail store reviews.

#### TRANSFERS TO OCIO/CCE

Mr. Kingston: Did your agency transfer any funds to OCIO or CCE in fiscal year 2009 and 2010? On what date(s) were the transfers made, and for what amount and purposes? Does AMS plan any fund transfers to OCIO or CCE in fiscal years 2011 or 2012? If so, how much and for what purpose?

Response: OCIO provides support to AMS for network support, information technologies, technical and operational assistance, telecommunications support nationwide, and mainframe computer operations and development support. See table below for annual cost breakout. AMS has not transferred funds to the CCE during this time period.

[The information follows:]

OCIO Annual Transfers (Dollars in Thousands)				
OCIO Activities	FY 2009 Actual	FY 2010 Actual	FY 2011 Estimate	FY 2012 Estimate
e-Gov Initiatives	\$485	\$542	\$508	\$503
Network Services	382	367	363	359
Telecom Services	575	566	560	554
Enterprise Data Center Costs Management (NITC) <sup>1/</sup>	1,316	1,973	2,985	2,950
Total	\$2,758	\$3,448	\$4,416	\$4,366

<sup>1/</sup> Does not include NITC support for WebSCM.

PROCESSED COMMODITIES INVENTORY MANAGEMENT SYSTEM

Mr. Kingston: Provide the Committee with the total expenditures for PCIMS over the past five years and break out the funding by the source - specifically, discretionary and Section 32 funding levels.

Response: The information is submitted for the record.

[The information follows:]

PCIMS Support Actual Obligations (Dollars in Thousands)				
Fiscal Year	AMS Mandatory	FNS Mandatory/ Discretionary	FSA Discretionary	Total
2006	\$1,058	\$4,785	\$8,136	\$13,979
2007	1,216	3,348	5,614	10,178
2008	688	2,753	3,892	7,333
2009	794	2,465	4,298	7,557
2010	1,177	2,445	3,988	7,610
<b>Total</b>	4,933	15,796	25,928	46,657

PCIMS Support Actual Obligations (Dollars in Thousands)				
Fiscal Year	AMS Mandatory	FNS Mandatory/ Discretionary	FSA Discretionary	Total
2006	\$1,058	\$4,785	\$8,136	\$13,979
2007	1,216	3,348	5,614	10,178
2008	688	2,753	3,892	7,333
2009	794	2,465	4,298	7,557
2010	1,177	2,445	3,988	7,610
<b>Total</b>	4,933	15,796	25,928	46,657

GROUND BEEF PURCHASE PROGRAM

Mr. Kingston: What steps are being taken to correct and improve management controls, accountability for contaminated products, corrective actions, and sampling procedures concerning AMS' oversight of the purchase of ground beef? Please address each issue separately.

Response: AMS has initiated a complete review of the ground beef purchase program to ensure that the USDA is an industry leader in product and company performance requirements administered through the Federal food and nutrition program. As a result of these actions, a more robust approach to



ensure purchased product safety by USDA will not only be implemented, but independently reviewed through CODEX scientific principles.

The Agricultural Research Service (ARS) and Food Safety Inspection Service (FSIS) completed their review of program requirements and submitted their recommendations to AMS. AMS collaborated with those agencies in publishing new requirements for purchases in 2010. Additionally, the National Academy of Sciences (NAS) published their findings and recommendations on December 9, 2010. After its review, NAS concluded that "The finding that no outbreaks of either *Salmonella* or *E. coli* O157:H7 associated with AMS purchased ground beef have been recorded in more than a decade strongly suggests that existing AMS purchase specifications have been protective of public health." The Department is utilizing the NAS findings and recommendations as it moves forward with future reviews and modifications of technical documents for the ground beef program.

#### Management Controls

All firms seeking to bid on AMS ground beef contracts must first pass a rigorous pre-award process that involves written documentation of their processes, on-site audits, and other detailed evaluations. Additionally, an FSIS Food Safety Panel will review and evaluate the beef vendors as part of the AMS vendor eligibility process.

Once a firm passes the pre-award process, it is eligible to bid on, and be awarded, a contract to supply ground beef for Federal food and nutrition assistance programs. Firms that have been awarded contracts are evaluated by AMS under several independent systems. Each of these systems play a role in determining: (1) if AMS will accept delivery of product being produced under a contract; as well as, (2) if a firm remains eligible to bid on future contracts to supply ground beef to Federal food and nutrition assistance programs.

- First, all ground beef is produced under the oversight of an AMS employee known as a Meat Acceptance Specialist who is onsite with a contractor during all hours of ground beef production being produced under contract. This employee ensures that all ground beef meets specification requirements and has the authority to document contractor non-conformances. Contractors are required to respond to all non-conformances, regardless of how they are categorized (i.e., critical, major, or minor).
- Second, all contractors producing ground beef, as well as subcontractors producing beef trimmings, are subject to routine audits by AMS Auditors to ensure that systematic controls outlined in the program, as well as in contractors' technical proposals, are being met. The AMS Auditors have the authority to document contractor non-conformances, and contractors are required to respond to these non-conformance findings.
- Third, AMS contracts with independent laboratories to perform testing of AMS-purchased ground beef and raw material beef trimmings to ensure compliance with fat and microbiological specifications. These independent laboratories provide their results directly to AMS.

All three of these pieces of information are used by the AMS Commodity Procurement Branch Contracting Officer to determine the performance of firms.

The Contracting Officer uses three basic processes: (1) the contractor monitoring program (CMP) utilizing non-conformance information obtained by onsite Meat Acceptance Specialists and monthly audits by AMS Auditors; (2) a statistical process evaluation for the microbial content of products determined by AMS-contracted independent laboratories, and (3) a statistical process evaluation for the fat content of products determined by AMS-contracted independent auditors.

These three evaluation processes, similar to what is utilized by other large-volume ground beef buyers in the commercial market, are designed to carefully monitor performance, minimize variation in production processes and products, and promote continuous improvement of end-product quality and safety.

#### Accountability for Contaminated Products

AMS relies on the three evaluation processes described above to determine the eligibility of any firm supplying ground beef in accordance with the terms of an AMS contract. Performance metrics from these three processes continuously flow to the AMS Contracting Officer and their technical representatives for evaluation of contractors. The AMS Contracting Officer not only reviews the non-compliances associated with a contract for the purposes of accepting or rejecting product produced under a contract, but also the corrective measures plants have instituted to determine if the contractor should remain eligible to participate in the program for future contracts.

If a company is deemed ineligible by the AMS Contracting Officer, they must conduct a cause and effect analysis, propose corrective actions, have those modifications to their written plan evaluated by AMS for technical competence, implement the corrective actions and have an acceptable onsite audit conducted by AMS prior to being deemed re-eligible and able to be awarded future contracts to produce AMS-purchased product.

Like other large volume, commercial buyers, AMS's ground beef purchase program is designed to accept that variability in their suppliers' production processes will occur from time to time. However, when responsibility is placed on contractors, these variations can be corrected and the production process strengthened as a result. AMS has a commitment to continuous improvement in the products it purchases and seeks like-minded suppliers to support this mission. Changes implemented during the 2010-2011 purchase year reflect this commitment.

#### Corrective Actions

AMS received recommendations from the FSIS and the ARS for improvements to the AMS ground beef purchase program food safety requirements. Based on this review, there are five recommendations that AMS has committed to implementing.

1. AMS will formally consider the food safety record of vendors' commercial sales. Prospective or current AMS vendors that demonstrate a long-term poor food safety record in the commercial market will become ineligible to supply ground beef to the School Lunch Program. AMS will review quarterly data offered by FSIS which includes Non-compliance Report (NR) Analysis, Pathogen Testing Analysis, Administrative Action Analysis, and Product Recall Analysis when considering a firm's eligibility. These firms will be allowed

onto the list of those eligible to bid on AMS contracts only after they demonstrate to AMS that the conditions resulting in their food safety lapses will not impact the safety of products provided for the Federal food and nutrition assistance programs.

2. AMS will tighten its microbiological testing protocols to align with or exceed the FSIS *E. coli* O157:H7 n60 testing protocols for boneless beef.

3. AMS will tighten its microbiological upper specification limits and critical limits for USDA-purchased ground beef. Plants will need to maintain a process that consistently adheres to the upper specification limits and no product will be accepted from any vendor that exceeds the critical limits. Elements of statistical process control will remain a component to evaluating a firm's performance against these specification criteria.

4. In addition to continuing its zero tolerance policy for *E. coli* O157:H7 and *Salmonella*, AMS will increase its microbiological sampling frequency for finished products to every 15 minutes.

5. AMS will institute additional rejection criteria for source trimmings used to manufacture USDA-purchased ground beef. AMS will now consider each single combo sized bin (approximately 2,000 pounds) of beef trimmings a production lot and those that exceed AMS' new critical limits for indicator organisms will be rejected.

Cumulatively, these five program changes, as well as continuous review, will ensure that vendors of USDA-purchased ground beef are not only outstanding firms, but that the product procured is as safe and as high quality as commercially-available ground beef.

#### Sampling Procedures

AMS will increase its microbiological sampling frequency, which will occur on a whole lot and sub-lot basis. Eight random samples throughout the production day will be composited and evaluated for whole lot evaluation of a company's process capability. Additionally, one hour sub-lots with sampling to occur every 15 minutes of production will also be tested. A sub-lot will not exceed 10,000 pounds of finished product produced.

#### COMMODITY PROCUREMENT ACTIVITIES

Mr. Kingston: What activities are being conducted by AMS concerning Commodity Procurement Activities, (i.e. antitrust enforcement)?

Response: AMS has not been involved in any antitrust enforcement; however, we initiated several reviews to ensure that the food USDA distributes to schoolchildren and others meets the highest quality and safety standards. In July 2010, AMS issued tougher standards for ground beef purchased for Federal food and nutrition assistance programs. We also requested an independent review conducted by the National Academy of Sciences which confirmed that America's schoolchildren are receiving a safe ground beef supply. The review also provided AMS with a roadmap for future program improvements we will implement in the year ahead. The Agricultural Research Service has begun conducting a scientific review of all of the commodity specifications AMS uses to purchase fruits, vegetables, poultry, egg, fish,

and red meat products. This review has already begun to identify program improvements.

AMS, FNS, FSA, FAS, and USAID have been working on the development of a new commodity procurement system (WebSCM) that achieved full functionality on April 1, 2011. Once all users are in the system, WebSCM will support over 40,000 users throughout the supply chain. The commodity distribution programs provide over 4.5 million tons of food to targeted populations in the U.S. and abroad. The domestic programs serve over 30 million Americans and the international aid programs serve more than 280 million people.

As part of government-wide healthy food initiatives, our FY 2012 request includes funding to support AMS participation in the Food and Nutrition Service's (FNS) Farm to School Team. This team was created to support local and regional food systems by facilitating alliances between schools and their local food producers. FNS has well-established relationships with state authorities and schools, AMS with farmers and community partners. The Farm to School Team provides guidance to and develops mechanisms for assisting schools in accessing local markets, enabling food producers to effectively service their local schools, and facilitating communication between interested stakeholders.

Long-term goals of the Farm to School Team include providing access to resources and information on beginning and maintaining Farm to School activities for schools, farmers, and local community members; providing technical assistance to assist schools and farmers in the development, progression, and/or sustainability of Farm to School activities; and identifying obstacles faced by schools and farmers in implementing and/or sustaining Farm to School activities and suggesting solutions.

#### FOOD PROTECTION POLICIES

Mr. Kingston: What activities is AMS conducting concerning the Food Protection program?

Response: AMS does not have a Food Protection Program. However, AMS is concerned with food safety relative to food purchases distributed through USDA nutrition assistance programs. In response to concerns over ground beef safety and the egg recall last year, AMS has tightened its food protection policies.

AMS initiated several reviews to ensure that the food USDA distributes to school children and others meets the highest quality and safety standards. In July 2010, AMS issued tougher standards for ground beef purchased for Federal food and nutrition assistance programs. The new standards guarantee our purchases equal or exceed those of other major private-sector buyers of ground beef.

Also, an independent review by the National Academy of Sciences confirmed America's school children are receiving a safe ground beef supply. The review also provided AMS with a roadmap for future program improvements we will implement in the year ahead. In addition, ARS is conducting an ongoing scientific review of all of the commodity specifications AMS uses to purchase fruits, vegetables, poultry, egg, fish, and red meat products. This review is currently ongoing and assisting with program improvements.

After the nationwide recall of over 500 million shell eggs adulterated with *Salmonella Enteritidis* (SE) in August, AMS provided FDA with all requested information and assistance to facilitate the recall and implement corrective measures. AMS continues to work closely with FDA, although AMS does not test for SE in eggs, nor monitor the condition of the laying barns. AMS participated with FDA in an assessment of the incident and lessons learned, revised the MOU between FDA and AMS, and developed a plan to train AMS employees on observation and reporting to FDA. AMS also cooperated with OIG, which is conducting a review of our egg grading program.

#### FARMERS' MARKET PROMOTION PROGRAM

Mr. Kingston: Please update the Committee on the costs and activities of the Farmers' Market Promotion Program.

Response: In FY 2010, 77 grants were announced on October 14, 2010 and another four, all in Michigan, were announced on October 26, 2010, AMS announced 81 recipients were awarded grants totaling \$4,335,000.

[The information follows]:

State	Recipient and Purpose	Award
Alaska	To Wrangell Medical Center, Wrangell, AK, to purchase and install renewable energy technology for year-round local food production that will also generate revenue to support a new Farmers' Market and other local agriculture-related activities.	\$70,730
Alaska	To City of Thorne Bay, Alaska, Thorne Bay, AK, to: 1) expand direct-marketing opportunities and cooperation among all members of the Prince of Wales community, 2) foster educational and cultural awareness of healthy eating choices, and 3) purchase market supplies and signage.	\$45,859
Arizona	To Community Food Connections, Inc., Phoenix, AZ, to direct market local agricultural commodities at the downtown Phoenix Public Market through extensive promotional efforts, including purchase of print advertising, signage, and expanded social media efforts.	\$58,273
Arkansas	To University of Arkansas, Fayetteville, AR, to increase the participation of SNAP, WIC, and Senior FMNP recipients at farmers markets by promoting the benefits of eating locally grown fresh produce and expanding new EBT technology at in Northwest Arkansas Farmers Market Alliance member markets.	\$48,102

State	Recipient and Purpose	Award
California	To Los Angeles Mission College, Office of the President, Sylmar, CA, to: 1) create the Sylmar Farmers Market in an underserved area of the San Fernando Valley, 2) purchase advertising and conduct marketing and outreach to increase food system awareness among consumers and Farmers Market Nutrition Program recipients, and, 3) develop a comprehensive Farmers Market Management Training Manual.	\$75,919
California	To Santa Rosa Junior College, Santa Rosa, CA, to: 1) pay a direct-marketing staff and student work-study interns, 2) build upon collaborations with community groups, 3) train the next generation of (student) sustainable farmers, 4) develop a marketing plan for five new products, 5) develop a promotional materials, and 6) create affordable farmers markets for students and other underserved community populations.	\$65,719
California	To Community Assistance Network, Crescent City, CA, to expand existing EBT services at the Crescent City Farmers' Market (CCFM), increase the availability of fresh produce to low-income residents, and support both local farmers and the CCFM through promotion and advertising.	\$44,684
California	To Regents of the University of CA, Davis, CA, to: 1) establish a new farmers market on the Sutter Davis Hospital campus, 2) provide technical assistance to farmers, and 3) increase local foods in hospital cafeteria and food service, along with staff training.	\$57,144
California	To North Coast Opportunities, Inc., Ukiah, CA, to: 1) pay for training in season extension, producer-to-consumer marketing, and value-added production, 2) purchase two hoop houses (hoop greenhouse) and value-added production supplies, including kitchen rental, and 3) provide training to the farmers market manager.	\$97,629
California	To Mandela Market Place, Oakland, CA, to purchase a refrigerated truck and conduct outreach and promotion to expand a wholesale product distribution network from farm to market that increases market access to limited-resource and minority producers.	\$50,496
Connecticut	To Billings Forge Community Works, Hartford, CT, to promote an existing EBT program and a winter market to: 1) extend the farmers' selling season; 2) jointly develop and execute an advertising campaign; and 3) provide tracking data and analyze results.	\$46,704

State	Recipient and Purpose	Award
Delaware	To Delaware State University, Dover, DE, to promote the recruitment and retention of new farmers at farmers markets and other direct-to-consumer marketing outlets and develop professional expertise for farmers market managers/vendors in the Delmarva Peninsula.	\$76,958
Florida	To Coalition of Florida Farmworker Organizations, Florida City, FL, to: 1) establish a centralized, open-air farmers' market that will serve citizens of southern Miami-Dade County, 2) train farmers/vendors, and 3) promote greater consumption of locally grown products among low-income residents.	\$54,674
Florida	To Treasure Coast Regional Planning Council, Stuart, FL, to create and implement a market survey and design a site development plan for the revitalization of the Palm Beach County Public Market, serving low-income consumers.	\$60,204
Georgia	To Georgia Southern Research and Service Foundation, Inc., Statesboro, GA, to provide educational programming on growing, purchasing, and preparing local foods to residents of a women's shelter and 270 children in 5 after-school programs in Bulloch County.	\$23,356
Georgia	To Martin Luther King, Jr. Poor People's Church of Love, Atlanta, GA, to: 1) promote availability and accessibility of local fresh produce through new EBT capability to East Lake Farmer's Market patrons, 2) increase the average number of market vendors, 3) create a sustainability plan, and 4) evaluate the impact of the market on the local community.	\$30,430
Georgia	To Upper Ocmulgee River Resource, Conservation and Development Council, Inc., Lawrenceville, GA, to: 1) promote the nutritional benefits of locally grown foods among low-income citizens; 2) purchase EBT machines and provide training to eight new local farmers markets, and 3) support the continuing operations of 16 existing EBT markets.	\$37,547
Hawaii	To Kauai Food Bank (KFB) Farmers Markets New EBT, Promotion, Lihue, HI, to implement a new EBT project that will increase SNAP recipients' access to 6 farmer's markets, 10 roadside stands, and four CSA's on Kauai Island. Assistance will be offered to growers to manage EBT transactions, as well as continuing education opportunities to increase grower yield and production to meet the new market demand for their product.	\$53,529

State	Recipient and Purpose	Award
Hawaii	To Hawaii's Volcano Circus (HVC), Pahoa, HI, to: 1) establish a new EBT program at SPACE Market, 2) increase, by 20 percent in one year, the amount of locally-grown, fresh produce purchased by SPACE customers who receive food stamp benefits, 3) increase by 10 percent the percentage of fruits and vegetables reported as part of food stamp recipients diets, 4) increase, by 20 percent in one year, the amount of locally-grown, fresh produce sold by local farmers at SPACE Market, 5) increase, by 15 percent in one year, the SPACE Market produce customer base, and 6) increase by a minimum of 20 percent in one year the level of income generated by small farmers through SPACE Market.	\$25,018
Hawaii	To Hawaii Farm Bureau Federation, Kealahou, HI, to grow farmers" through a marketing, farmer education, and consumer awareness campaign including purchase of print advertising and supplies, and chef demonstrations.	\$22,991
Illinois	To Experimental Station, Chicago, IL, to create and implement a promotional and educational campaign within a new EBT program to increase the number of federal nutrition benefit clients purchasing fruits and vegetables at the 61st Street Farmers Market, and to assist other farmers markets statewide in implementing new EBT/SNAP and double-value incentive systems.	\$61,784
Illinois	To Woodstock Farmers Market, NFP, Woodstock, IL, to purchase equipment for, and operate, a new EBT program, to include wireless terminals, permanent metal tokens, a computer bookkeeping system, and promotional costs.	\$13,847
Indiana	To Indiana Cooperative Development Center, Inc., Indianapolis, IN, to: 1) organize and establish an Indiana Direct-to-Consumer Market Association and three direct marketing retreats, 2) develop a logo, brochure, and marketing materials, and 3) conduct a Young Farmer training program.	\$53,160
Iowa	To Iowa's League of RC&D's, Inc., Oakland, IA, to fund a collaborative promotional campaign among 11 RC&Ds that will provide signage and/or advertising to 74 local farmers markets across Iowa.	\$82,164



State	Recipient and Purpose	Award
Iowa/ Minnesota	North Iowa Farmers' Market, Inc. - Nora Springs, IA, to: 1) develop a regional farmers' market association in Southwestern Minnesota and Northern Iowa, 2) undertake strategic planning, 3) coordinate marketing efforts including purchase of signage and advertising.	\$64,346
Louisiana	To Louisiana State University Agricultural Center, Baton Rouge, LA, to convene a statewide one-day, educational workshop/conference for market managers and key vendors statewide and conduct a follow-up assessment of market operations, management, nutrition programs, food handling and risk management of Louisiana's farmers markets.	\$21,352
Louisiana	To Historic Lower 9th Ward Council for Arts & Sustainability, New Orleans, LA, to: 1) purchase equipment, signage, and supplies; 2) develop an advertising and promotional campaign; and 3) establish a new EBT program at the new Sankofa/Lower Ninth Ward Farmers Market to sell fresh local produce and seafood.	\$39,417
Maryland	To Town of Riverdale Park Farmers Market, Riverdale Park, MD, to purchase signage, banners, bilingual posters and supplies to implement a comprehensive marketing and promotional campaign to increase the number of customers attending the Riverdale Park Farmers Market.	\$33,149
Maryland	To Crossroads Farmers Market, Takoma Park, MD, to create a network of well-attended and economically vibrant markets in Maryland where people of all income levels can access fresh, nutritious, locally grown fruits and vegetables directly from producers and benefit from expansion of existing EBT programming.	\$50,724
Massachusetts	To The Food Project, Inc., Lincoln, MA, to: 1) create a comprehensive media campaign, 2) engage in innovative partnerships with nutrition and health education programs, and 3) purchase advertising on public transportation in support of the Boston Bounty Bucks program.	\$63,657
Massachusetts	To University of Massachusetts - Amherst, Amherst, MA, to professionally develop training videos in English, Hmong, Russian, and Spanish on what is required by beginning English and non-English speaking farmers to sell produce at a farmers market.	\$81,439

State	Recipient and Purpose	Award
Massachusetts	To Nuestras Raices, Inc., Holyoke, MA, to provide farmer mentors to beginning, immigrant and refugee farmers and purchase packaging/display supplies for farmers, market tents, and promotional brochures and posters.	\$82,587
Michigan	To Allen Neighborhood Center, Lansing, MI, to: 1) expand the availability of locally grown produce by developing a mobile farm stand in Urbandale, MI, 2) expand an existing CSA, 3) create a farmer apprenticeship program for young adults, and 4) purchase promotional supplies.	\$90,209
Michigan	To YMCA of Greater Grand Rapids, Grand Rapids, MI, to: 1) establish a new urban farmers market in an underserved community and purchase supplies, and 2) initiate a promotional campaign to recruit and retain farmers and promote the new market's availability and accessibility of fresh local products.	\$76,344
Michigan	To Berrien County Health Department, Benton Harbor, MI, to purchase supplies and advertising of the market through newspaper and radio promotions to increase low-income consumers' use of a farmers market to access healthy foods and to increase the income of small local farmers by accepting EBT payments.	\$39,947
Michigan	To Community Farm Kitchen, LLC, Ann Arbor, MI, to purchase commercial kitchen equipment upgrades and increase capacity to work with a larger number of small local farmers/producers selling more food products directly to local consumers via an innovative distribution channel.	\$28,603
Minnesota	To Renville County, Olivia, MN, to: 1) implement a print and television advertising campaign, and, through evaluation of marketing effectiveness, identify additional market opportunities to increase the number of consumers purchasing from local farmers markets.	\$17,594
Minnesota	To Three Rivers Resource, Conservation and Development Council, Inc., Mankato, MN, for the purchase of EBT equipment and supplies to expand existing EBT and credit card capability to the Mankato Farmers Market, and to increase market awareness through community outreach and advertising.	\$34,814

State	Recipient and Purpose	Award
Missouri	To Sedalia Area Chamber of Commerce, Sedalia, MO, to purchase and install signage, and buy print and radio advertising in an 8-county region of Central Missouri to promote awareness of the market and consumption of fresh, local produce among low income households for the benefit of small, local growers.	\$8,438
New Mexico	To City of Albuquerque, Albuquerque, NM, to organize and establish a grower-directed, aggregator, sales and marketing organization to maximize small-scale producer benefits from a permanent indoor/outdoor growers' market in downtown Albuquerque.	\$63,914
New Mexico	To Santa Fe Farmers, Santa Fe ,NM, to further strengthen the Market, through professional development workshops, consumer education, and promotion of the existing EBT program for the purchase of healthy, local foods by low-income and WIC families.	\$54,086
New York	To Farmers Market Federation of NY, Inc., Fayetteville, NY, to: 1) develop surveys and 4 webinars and increase the use of social marketing to engage consumers and build awareness for agriculture, local foods and local farms and farmers markets, and 2) develop a toolkit for using social media fans and contacts.	\$33,907
New York	To the South Wedge Planning Committee, Inc., Rochester, NY, to create a marketing plan and implement an EBT incentive program to expand use of existing EBT at the South Wedge Farmers Market and improve the eating habits of local residents. FMPP funds will be used to: 1) create and distribute marketing materials, 2) provide incentives to reinforce usage of EBT for fresh fruits and vegetables, and 3) provide transportation to the market from low income housing developments.	\$8,854
New York	To Certified Naturally Grown, Stone Ridge, NY, to convene farmer organizers and farmers advisors in GA and TN in order to cultivate robust local farmers' network and provide resource materials such as how-to guides and online registry to support local network development at the grassroots level.	\$44,564
New York	To Harvest Home Farmers' Market, Inc., New York, NY, to improve fresh food consumption by low-income, underserved communities through creation and marketing of eight new EBT-accessible farmers markets.	\$92,455

State	Recipient and Purpose	Award
New York	To St. Johns Bread and Life Program, Inc., Brooklyn, NY, to develop software to allow new opportunities for EBT purchase of fresh produce from the Bread and Life Digital Choice Food Pantry kiosk and/or via the internet.	\$10,254
New York	To Cornell Cooperative Extension Association of Delaware County, Hamden, NY, to: 1) develop and coordinate educational conferences, meetings, and hands-on production programs for regional honey producers, 2) facilitate a permanent marketing association for producers, and 3) purchase supplies, advertising, and promotional brochures.	\$31,959
New York	To the International Rescue Committee Inc., to provide intensive training in direct marketing to refugee producers in Phoenix, Arizona, to increase their sales and develop a community-supported agriculture (CSA) at a farmers market that targets low-income neighborhoods and refugee families.	\$71,162
North Carolina	To North Carolina Agricultural and Technical State University, Greensboro, NC, to: 1) develop a virtual farmers market for farmers who lack accessibility to physical market, 2) purchase infrastructure and supplies for existing farmers markets, 3) provide GAP and GHP training to 50 farmers, and 4) produce educational materials for farmers markets and farmers.	\$70,096
North Carolina	To NC Cooperative Extension for Foothills Farmers' Market, Inc., Shelby, NC, to: 1) create a brand for the Market, 2) purchase print, radio, and billboard advertising and expand web/social media efforts, and 3) engage community stakeholders in the development of a strategic plan that guides the growth and continued development of a sustainable local food system.	\$45,746
North Carolina	To Mitchell County, Bakersville, NC, to create a partnership between Mitchell County Cooperative Extension, local farmers, and community health organizations in an advertising and promotional campaign to 1) increase awareness of a farmers' market and agri-tourism network as a source of affordable, healthy food in rural Mitchell County, 2) diversify the customer base, 3) recruit and retain sustainable farmers, and 4) increase farmers' revenues by 40% at participating markets.	\$39,585

State	Recipient and Purpose	Award
North Carolina	To The Leaflight, Inc., Chapel Hill, NC, to implement the 21st Century Farmers' Markets' program at 21 new farmers' markets across the state of North Carolina. The program will train these new markets and vendors in EBT implementation and provide nutrition education to consumers.	\$89,880
North Dakota	To the Farmers Market and Growers Association, Bottineau, ND, to design and implement a comprehensive marketing campaign and brand identity for North Dakota agricultural products at farmers markets, including 1) print and television advertising, 2) a state-wide, rotating billboard, and 3) field days that will help to raise the awareness and visibility of farmers markets and local producers.	\$17,394
Ohio	To Appalachian Center for Economic Networks, Athens, OH, to: 1) implement a regional branding and social media campaign to leverage consumer awareness in three rural Appalachian counties, and 2) develop 10-15 workshop modules on food safety and food handling, soil amendments, production and harvesting techniques, natural pest management, packing, transporting, and handling, and financial planning for low-wealth farmers and vendors.	\$46,424
Oklahoma	To Mvskoke Food Sovereignty Initiative, Okmulgee, OK, to: 1) equip a value-added production facility, 2) provide extensive professional development to the community in food safety and value-added processing, and, 3) develop a regional marketing plan for locally-produced, value-added products that can be used by producers as a model for economic sustainability in rural communities, both Native and non-Native, throughout the Muscogee (Creek) Nation in Oklahoma.	\$75,605
Oregon	To Neighborhood Economic Development Corporation, Springfield, OR, to fund a comprehensive project aimed at introducing EBT at nine new markets in Lane County, Oregon, facilitate consumer education and access to local foods, and ensure the long-term viability and sustainability of farmers markets in the South Willamette Valley region.	\$33,894

State	Recipient and Purpose	Award
Oregon	To Silverton Hospital, Inc., Woodburn, OR, to implement a comprehensive grass-roots effort that introduces new EBT capability at the Wellspring Saturday Marketplace, sited at the Wellspring wellness and chronic disease management center, and increases access to fresh produce for low-income families.	\$28,224
Oregon	To Community Action Program of East Central Oregon (CAPECO), Pendleton, OR, to purchase EBT equipment and supplies, provide training and networking assistance for new EBT markets and vendors, develop nutritional training materials for SNAP and WIC recipients, and develop a regional marketing plan to support greater availability, access and consumption of local foods.	\$40,498
Pennsylvania	To Urban Tree Connection, Philadelphia, PA, to: 1) initiate a mixed-income CSA program on an urban farm located in the heart of the neighborhood; 2) provide production skills to community members to grow their own food, and 3) purchase CSA and market supplies.	\$89,654
Pennsylvania	To the Center for Community Action, Everett, PA, to implement an EBT and market-on-wheels project that expands access to and patronage of the Huntingdon Farmers' Market to low-income Huntingdon County residents. Additionally, this project will include a double your SNAP money" incentive program and educational outreach to familiarize new patrons with market produce and simple preparation techniques.	\$22,402
Pennsylvania	To Nurture Nature Center, Inc., Easton, PA, to: 1) market and promote producer-to-consumer opportunities, 2) build relationships to create a network of distribution points in underserved communities, and 3) educate consumers in order to build the Lehigh Valley local food economy.	\$84,209
Pennsylvania	To The Enterprise Center Community Development Corporation, Philadelphia, PA, to develop an innovative community-based agriculture model in West Philadelphia with personnel for farm build-out and community grower training; equipment and supplies, including infrastructure for the farm, a retail farm stand, lighting and signage, and EBT machines; and direct marketing promotional materials for door-to-door community outreach.	\$89,613

State	Recipient and Purpose	Award
Pennsylvania	To Reading Terminal Market Corporation, Philadelphia, PA, to acquire equipment and supplies to implement EBT at 19 farmers markets in Philadelphia and nearby communities, train 40 farmers on use of EBT equipment, develop EBT promotional materials and promote availability and access to SNAP recipients.	\$96,482
South Carolina	To South Carolina Association of Farmers Markets, Columbia, SC, to implement educational workshops to assist market managers and farmers to enhance marketing and social networking skills; promotional campaigns designed to improve and highlight the presence of farmers markets across South Carolina; and new EBT projects at three under-served areas resulting in increased profitability for farmers/vendors and better access to fresh, locally grown produce for customers.	\$62,568
South Carolina	To City of Greenville, Greenville, SC, to implement an electronic benefit transfers (EBT) project that increases access to fresh produce for Supplemental Nutrition Assistance Program (SNAP) clients and benefits farmers by increasing their customer base.	\$17,804
South Dakota	To Vermillion Area Farmers' Market, Vermillion, SD, to increase the consumption of fresh, local foods by expanding the market and educating vendors and consumers; creating community kitchens that both vendors and consumers may utilize; and promoting the existing EBT program at the market.	\$51,142
Tennessee	To Community House Cooperative, Inc., Newport, TN, to: 1) undertake a strategic planning process to ensure long term sustainability of the market, 2) recruit new farmers and consumers through an intense outreach effort, 3) provide professional development training on marketing principles, and 4) purchase promotional items and print, radio, and billboard advertising.	\$68,248
Texas	To City of Texarkana, Texas, Texarkana, TX, to implement an EBT project for their Downtown Farmers' Market which will improve access to locally-grown produce for low-income consumers across 10 counties within a four-state area and boost the economic viability of area farmers by increasing their sales.	\$35,432

State	Recipient and Purpose	Award
Utah	To United Way of Northern Utah, Ogden, UT, to: 1) expand the awareness of the Farmers' Market to the population of inner city Ogden, providing training and marketing materials in Spanish and other languages; 2) establish an on-going training schedule on gardening, sanitation, green technology, and techniques for displaying and selling produce; 3) expand the number of vendors participating in Farmers' Markets; and 4) establish an EBT project, since community residents have a need for EBT to be available through the summer and winter.	\$40,214
Vermont	To Association of Africans Living in Vermont, Inc., Burlington, VT, to promote the consumption of local agricultural commodities, specifically among low-income and geographically-marginalized households, by establishing 4 new EBT-accessible markets in public housing complexes, and at a downtown public transportation hub that will improve earnings for 35 new American farmers.	\$33,954
Virginia	To the Highland Center, Monterey, VA to: 1) undertake market assessments and create improvement plans, 2) provide eight training workshops for farmers market managers on market oversight and direct marketing and for market vendors and farmers on business planning and direct marketing to increase profits for farmers in four counties in Virginia and West Virginia.	\$58,834
Virginia	To Western Virginia Workforce Development Board, Roanoke, VA, to: 1) purchase a mobile teaching kitchen, 2) conduct 14 farmer/vendor training sessions on business development, production and profitability, and certifications and logistics, 3) conduct 7 consumer classes on cooking with local produce, canning, farmers market affordability, and food safety, and 4) purchase print advertising.	\$82,856
Virginia	To Friends of the Farmers Market, Inc., Blacksburg, VA, to implement a new EBT/Debit program that will enable farmer/vendors to expand and diversify their clientele, as well as improve access to locally-produced nutritious foods for SNAP benefit participants and college students.	\$50,041
Virginia	To Jefferson Area Board of Aging, Charlottesville, VA, to conduct a study to explore the feasibility of building a bulk freezing and frozen meals operation that uses Virginia-grown food to provide meals and products for non-profit organizations such as senior nutrition programs, home delivered meals, schools and child daycare.	\$54,834



State	Recipient and Purpose	Award
Washington	To North Olympic Peninsula Resource, Conservation and Development, Port Angeles, WA, to implement a new electronic benefits transfer (EBT) project, improve access to fresh food from local farms for citizens of rural Jefferson and Clallam Counties, and increase the economic viability of local farmers in the area.	\$79,408
Washington	To Washington State Farmers Market Association, Suquamish, WA, to: 1) develop an updated and expanded Market Management Tool Kit, 2) purchase and distribute promotional brochures, and 3) convene three strategic planning sessions for the Washington State Farmers Market Association Board of Directors.	\$87,509
Wisconsin	To Waukesha County U.W. Extension, Waukesha, WI, to implement the use of electronic benefit transfer (EBT) machines at 10 farmers markets. Additionally, a study will address areas important to the success of EBT programs at farmers' markets by measuring the increase in market customers, consumption of fruits, vegetable and other local agriculture products and farmer income over a two-year period from data collected.	\$90,449
Wisconsin	To County of Pierce, Ellsworth, WI, to increase access, availability and affordability of fruit and vegetables by building the farmers market infrastructure in Pierce County, and implement new EBT capabilities to increase low-income consumers' access.	\$39,029
Wisconsin	To Growing Power, Inc., Milwaukee, WI, to 1) recruit, train, and enable small scale producers to take advantage of direct marketing and packaging supplies.	\$66,341
<b>Total Awards</b>		<b>\$4,335,000</b>

## ANIMAL TRACEABILITY SYSTEM

One of the larger increase requests in the area of Marketing and Regulatory Programs is for "Animal Disease Traceability." APHIS' request of \$8.85 million for "Animal Disease Traceability" activities clearly relates to the National Animal Identification System (NAIS). However, the direct connection is unclear. Between the launch of NAIS in FY 2004 and FY 2011, USDA has spent approximately \$150 million on a system that is not fully operational or at least has major shortcomings.

Mr. Kingston: For the record, has USDA abandoned NAIS in favor of this new traceability approach? Or is USDA planning to use some components of NAIS and not others? Please be specific.

Response: Many American producers were concerned that NAIS was too intrusive. Moreover, States and Tribes believed that NAIS did not give them flexibility to account for local needs and variations of production systems across the United States. Additionally, producers became discouraged and distrustful as NAIS implementation strategies repeatedly changed. To develop a comprehensive understanding of how to design and deliver an animal disease traceability program, USDA gathered input from the public through a variety of mechanisms (15 listening sessions in 2009, public comment periods, focus groups, and ongoing stakeholder input). USDA evaluated alternatives for building an effective traceability capability while developing a new framework. We learned from the mistakes we made in trying to implement NAIS.

The new traceability framework is designed to recoup and capitalize as much as possible on our previous investments in NAIS. For example, USDA will use and freely make available to States and Tribes the information technology infrastructure we have developed to support our traceability efforts to date. Multiple information systems were developed to support NAIS. These systems are a crucial part of the refocused traceability framework and are integrated in various animal disease program activities.

The distribution records for more than 22 million official identification devices are recorded in the Animal Identification Management System (AIMS). More than 7 million of these devices are animal identification number (AIN) radio frequency identification tags. Nine manufacturers offer 40 different AIN 840 tags, a form of acceptable identification that uses the country designation for the United States. This information is of tremendous merit to the current traceability system.

Data for nearly 40 percent of the estimated 1.4 million premises in the United States with livestock are recorded in the current information technology systems. The information structure for "housing" these records and the continuation of the premises system is at the discretion of the States and Tribes. These records are being maintained by the States and Tribes and provide a solid foundation from which to work as the refocused traceability framework is implemented.

Mr. Kingston: What is the cost and timing in implementing this new traceability approach?

Response: USDA is making every effort to proceed with the new direction as collaboratively and transparently as possible. We have undertaken considerable outreach initiatives including holding dialogues with industry, reaching out to small producers, convening the Secretary's Animal Health Advisory Committee, and forming various working groups. All of these efforts are well worth the time needed to ensure that we craft an approach that will be efficient, cost effective, and supported by as many producers as possible.

The 2012 Budget request includes an \$8.85 million increase, for a total of \$14.2 million, for animal disease traceability. The majority of the increase is needed for field implementation that includes cooperative agreements for the States and Tribes to purchase low-cost tags, conduct outreach, and other implementation activities. The remainder is needed to maintain the established information technology infrastructure and program support.

USDA plans to publish a proposed rule soon to establish general traceability regulations for livestock moving interstate. Under this proposed rule, unless specifically exempted, livestock belonging to certain species that are moved interstate would have to be officially identified and accompanied by an interstate certificate of veterinary inspection or other documentation. The goal and purpose of this rulemaking is to improve our ability to trace livestock in the event that disease is found.

Mr. Kingston: With this new approach, what is USDA's stated goal in the percentage of premises registered in FY 2012 and in future years? What are the goals beyond "zero introductions" of foreign animal pests and disease spread beyond the original area?

Response: The new traceability approach will give States and Tribes the flexibility to determine solutions that work best for them that their producers support. They may elect to continue to use premises identification as a tool for achieving the traceability performance standards, but how those tools are implemented is at the discretion of each State and Tribe. USDA will continue to provide information systems to support this activity for States and Tribes that wish to use them. However, we will not use "premises registration" as the measure of success.

Specific goals regarding the introduction of foreign animal pests and their disease spread are not included in the goals for the traceability program. While traceability is a key component of rapid response to any disease situation, goals regarding introduction and minimal spread are part of our emergency preparedness and response activities. We note that APHIS' emergency preparedness and response activities maintain the goal of zero introductions and disease spread beyond the original area, along with goals to detect, control, and contain foreign animal disease incursions. In addition, APHIS strives to provide science- and risk-based systems to facilitate the continuity of business operations if we have an identified foreign animal disease outbreak.

USDA is proposing to establish general traceability regulations for livestock moving interstate. Under this proposed rule, unless specifically exempted, livestock belonging to species covered by this rulemaking that are moved interstate would have to be officially identified and accompanied by an interstate certificate of veterinary inspection or other documentation. The proposed regulations specify approved forms of official identification for each species but would allow the livestock covered under this rulemaking to be moved interstate with another form of identification if agreed upon by animal health officials in the shipping and receiving States or Tribes. The goal and purpose of this rulemaking is to improve our ability to trace livestock in the event that disease is found. The anticipated outcomes of the regulation will be documented by measuring tracing capabilities.

Mr. Kingston: How can USDA assure the Committee that further delays in the development of a traceability system will not further impede export opportunities for U.S. agriculture?

Response: USDA cannot provide complete assurance that delays in the development of traceability will not impede export opportunities. Exports of U.S. animals and animal products have either remained stable or increased in recent years. USDA recognizes that exporters are watching international markets and they have stated that the United States needs to implement additional levels of traceability to remain competitive. International

standard setting bodies such as the World Organization for Animal Health (OIE) are stressing the importance of traceability in international trade. Traceability is only one of the factors that our trading partners evaluate when determining whether or not to accept U.S. exports. They also consider our success in controlling or eradicating diseases, our veterinary infrastructure, and our superior genetics.

Mr. Kingston: What does USDA estimate to be the cost borne by the livestock producer for this new program?

Response: The cost impact will be minimal for producers or owners of swine, sheep and goats, poultry, and equines, because traceability for most of these species is either maintained through existing disease regulations or will not change from current practices. For cattle producers, the cost will vary significantly based on the producer's herd management practices. For cattle producers who already tag their animals, the additional cost can be low. For producers not tagging, the estimated cost will be higher. In practice, the animal would likely be tagged during other management activities. To the extent possible, USDA will supply free ear tags as resources allow.

In addition to official identification, certain cattle will require an Interstate Certificate of Veterinary Inspection (ICVI) before moving interstate. ICVIs are currently required by most States; therefore, adding a Federal requirement will have minimal impact to existing practices.

#### METHYL BROMIDE PHASE-OUT

Mr. Kingston: Over the past few years, the European Union has attempted to set the stage to significantly reduce and possibly eliminate the use of methyl bromide for quarantine and pre-shipment uses currently permitted through the Montreal Protocol. This is a cynical ploy that will target U.S. trade and hurt the exports of developing nations. Further, it has no scientific merit or basis. The U.S. Department of State, as the lead executive agency in international negotiations, relies heavily on the expertise of USDA in issues relating to methyl bromide. It is of the utmost importance that USDA be a full partner with State on this issue.

Please provide the subcommittee a full accounting of USDA's efforts regarding this matter.

Response: USDA is working closely with the State Department to provide support to the U.S. delegation for the Parties to the Montreal Protocol on quarantine and pre-shipment uses of methyl bromide. Representatives from APHIS and the Agricultural Research Service (ARS) meet with the State Department representatives before international meetings on the Montreal Protocol and provide data on the uses of methyl bromide and its importance to international trade and agricultural production. APHIS works to educate State Department negotiators and the Environmental Protection Agency on these items on an ongoing basis. An APHIS representative also attended the November 2010 meeting of the Parties to the Montreal Protocol in Thailand, along with the ARS contact, who serves as the USDA representative on Quarantine and Pre-Shipment Task Force. USDA will continue to work closely with the State Department on methyl bromide issues.

## INVASIVE SPECIES - BROWN MARMORATED STINK BUG

Mr. Kingston: What is APHIS doing to control the spread of the Brown Marmorated Stink Bug that infested the mid-Atlantic states last year?

Response: APHIS is working closely with USDA's Agricultural Research Service (ARS) and the Environmental Protection Agency (EPA) on a comprehensive strategy to combat the brown marmorated stink bug (BMSB). While pursuing a regulatory program to control the spread of the BMSB is not feasible because the pest is widespread and is transported long distances easily through a wide range of activities and modes of transportation (including personal vehicles), there are several Federal efforts underway to address this pest. ARS scientists are working on new methods and techniques to manage the pest that are effective and safe for agriculture and the environment. One key project is on biological control using a small wasp that attacks the stink bugs. The wasp is being evaluated to determine its suitability for environmental release as a control for the stink bug. APHIS is ready to help ARS and State partners with implementing a biological control program once the beneficial agents are evaluated and approved for release. EPA also is working with USDA's Office of Pest Management and State partners to identify and approve appropriate insecticides to help producers protect their crops.

## BUDGET REQUEST

Mr. Kingston: The President's budget proposes an 8 percent decrease from the APHIS FY 2010 Enacted level. I give USDA credit for reducing the bottom line number and wish the Department would have applied the same level of rigor in some other USDA programs. In looking at the more detailed request, I have some concerns regarding APHIS' focus away from its traditional core mission. For example, APHIS seeks a decrease of \$37.5 million and 126 FTEs in the area of "safeguarding and emergency preparedness/response" for animal health.

Decreases include: 12 percent decrease in the cattle health program; 10 percent decrease for Swine health; over 50 percent reduction in the aquatic animal health; 57 percent decrease in staff for avian influenza; 87 percent decrease for Chronic Wasting Disease Surveillance. Yet your budget requests increases of 90 percent increase in Biotech Regulatory Services; 170 percent for animal disease traceability; and 17 percent increase for Animal Welfare.

It would seem to me that limited resources would require the Agency to cover core responsibilities first. However, it appears that USDA may be straying too far from its major responsibilities in favor of a few popular, feel good issues.

Can you let us know how you are establishing priorities under the current environment?

Response: In developing the FY 2012 budget request, APHIS reviewed its programs to ensure that the focus remained on the highest priorities while determining where it could do things differently. In some areas, the Agency was able to take advantage of program successes to realize savings. APHIS also identified programs that could be reduced since eradication or control of agricultural pests or diseases are no longer considered feasible, or where we will request greater contributions from partners or those that directly

benefit from program efforts. The Agency made these decisions while continuing to ensure that we retained focus on the areas that present the most risk for pest and disease spread.

To assist the Agency in minimizing agricultural damage, APHIS introduced the National Animal Identification System in 2004 to enhance the United States' capability to minimize the spread of foreign and domestic animal diseases of concern. Since then, USDA sought input from stakeholders in order to develop a more efficient traceability system and has proposed a new traceability approach that has gained support for advancing animal disease traceability. There are several components that work as a system to find animal diseases quickly, trace their origin, and prevent their spread. Detecting a disease before many animals have been exposed to it limits the spread of the disease and allows for more timely eradication and management efforts. The proposed funding level for 2012, which includes an increase of \$8.85 million for a total of \$14.15 million, more accurately reflects how much the program needs to carry out essential activities and retain advances made to date.

APHIS has legislative mandates and authorities that exist outside of minimizing damage caused by agricultural pests and diseases. These areas require additional resources to adequately carry out the related program activities as mandated. However, the APHIS role in regulating agricultural biotechnology focuses entirely on preventing the entry or spread of plant pests or diseases; it is central to our core mission. APHIS has been faced with a growing workload related to biotechnology over the past several years. The rapid adoption of GE crops has coincided with the rapid expansion of demand for organic and other non-GE products. In addition, APHIS has faced a significant number of legal challenges related to its compliance with the requirements of the National Environmental Policy Act (NEPA) in recent years. The requested increase for our Biotechnology Regulatory Services program, while significant, is needed to implement improvements, expand our regulatory program for biotechnology, and resolve the challenges currently faced by the program.

The Agency also has a unique responsibility in enforcing the Animal Welfare Act (AWA). APHIS' Animal Welfare program carries out activities designed to ensure the humane care and treatment of animals. USDA's Office of Inspector General (OIG) recently conducted a review of APHIS' inspections for AWA compliance, specific to problematic dog dealers who have committed repeat and serious violations. OIG concluded that APHIS should shift its compliance efforts from an education focus to an enforcement focus, improve inspection performance, and seek legislation regarding the Internet sale of dogs. To address the concerns of the audit, APHIS developed an action plan to improve the Agency's regulation of dog dealers. While APHIS initiated implementation of the plan in 2010, additional resources are needed to further address the Agency's response to the OIG audit, leading to a comprehensive enforcement program.

APHIS has been strategic in applying reductions and proposing additional resources in the FY 2012 budget request. These strategies allow us to continue to operate responsibly while fulfilling our mission of protecting American agriculture and addressing growing demands for services.

## PEST ERADICATION

Mr. Kingston: The APHIS budget appears to contain conflicting policies when it comes to pest eradication and control. On the one hand, USDA proposes to decrease funding for the Emerald Ash Borer by 65 percent even though you acknowledge the pest has spread to two new states (Iowa and Tennessee). As part of this new strategy for Emerald Ash Borer, USDA will improve Federal/State partnerships "by establishing an equitable allocation of responsibility." I fully support this approach. APHIS simultaneously proposes a 36 percent increase to eradicate the Asian Longhorned Beetle in one city of one state (Worcester, Massachusetts).

a. Why does APHIS not require "an equitable allocation of responsibility" for the control or eradication of the Asian Long-Horned Beetle?

Response: APHIS considers several factors when determining the expected Federal/State funding breakdown for a program. These include whether the program is addressing a relatively new pest or disease of concern; whether the pest or disease is detected in a new geographic area; the potential for the pest or disease to cause significant damage; and the rate of pest or disease spread. For FY 2012, we are requesting an increase of approximately \$12 million to address infestations of Asian Longhorned Beetle (ALB) in Massachusetts that were discovered just two years ago and can still be eradicated efficiently. In the case of the Emerald Ash Borer (EAB), however, the pest was detected in FY 2002, and eradication is not considered feasible. With the requested increase, the Federal share of ALB costs in FY 2012 would amount to 82 percent, while the Federal share of EAB costs would be 88 percent.

It is also important to note that of the \$24.154 million decrease requested for EAB, APHIS expects cooperators to replace only \$4.154 million. APHIS is requesting the decrease because the tools to address EAB effectively do not currently exist. APHIS and other agencies and university partners are continuing work to develop methods to manage EAB. If effective tools are developed, APHIS may reevaluate the needs of the EAB program.

b. What is driving the policy here?

Response: APHIS works with cooperators at the State, local, and industry levels to achieve overall program goals. This is especially true for pest and disease control and eradication programs. Since these pests and diseases have a direct impact on State and local conditions and since States and localities are beneficiaries of the actions, it is expected that all parties will devote available resources to address the outbreak before significant economic damage occurs. States and local entities should share the responsibility in situations where an animal or plant pest threatens their resources. However, a variety of factors influence the expected level of contributions from cooperators. In this particular case, APHIS has effective tools to eradicate ALB and works with the cooperators in each area affected (New York, New Jersey, and Massachusetts) to address each infestation. With the necessary resources, this pest can be eradicated. Accordingly, APHIS is requesting an increase for ALB. Additionally, the New York and New Jersey infestations are older than the Massachusetts outbreaks, and cooperators in New York and New Jersey are contributing a higher percentage than in Massachusetts. New York and New Jersey cooperators have

had time to build the program into their budgets, and their contributions increased over time.

c. What is the overall status of efforts to combat the Emerald Ash Borer?

Response: Since the EAB was first found in Michigan in 2002, it has spread to 14 additional States (Ohio, Indiana, Illinois, Maryland, Pennsylvania, West Virginia, Missouri, Virginia, Kentucky, Minnesota, New York, Wisconsin, Iowa, and Tennessee). The goal of the EAB program is to prevent human assisted spread and minimize natural spread of the pest. The EAB program is not eradicating EAB because the tools needed to address EAB effectively do not currently exist. In FY 2010, APHIS found EAB infestations in Iowa and Tennessee for the first time, as well as numerous detections in unregulated areas of previously affected States. These detections caused the program to expand the quarantine area to more than 270,000 square miles. To prevent further artificial spread of the EAB, APHIS is regulating host materials such as logs, firewood, and nursery stock. The program maintains approximately 1,000 compliance agreements with businesses that dealt with host materials. These agreements help the program regulate the treatment and movement of these host materials from quarantined areas. In addition, APHIS and cooperators conduct outreach activities to educate State, tribal, municipal, and industry cooperators and the public on reducing EAB spread. APHIS is continuing to develop and deploy biological control agents for EAB, specifically focusing on three parasitic wasps that have the potential to reduce EAB populations. The program is conducting trial releases of these wasps in several States and expects to produce more than 150,000 this year. In addition, the program has updated the EAB Biological Control Five-Year Plan and has distributed a set of biological control release guidelines to cooperating States. APHIS is also continuing work to refine rearing and release protocols for the wasps.

d. How much has been spent to date on the Emerald Ash Borer by APHIS? (Please distinguish appropriated funds from CCC funds.)

Response: The information is submitted for the record.

[The information follows:]

APHIS EMERALD ASH BORER FUNDING

(Dollars in thousands)

Year	Appropriated Funding	CCC Funding	Total
2003	0	\$12,748	\$12,748
2004	\$1,354	38,481	39,835
2005	5,444	25,152	30,596
2006	7,803	10,944	18,747
2007	8,918	13,693	22,611



Year	Appropriated Funding	CCC Funding	Total
2008	15,566	9,128	24,694
2009	30,997	3,313	34,310
2010	37,262	0	37,262
2011, as of March 14	9,023	0	9,023
Total	\$116,367	\$113,459	\$229,826

e. How much have states contributed to Emerald Ash Borer management and eradication to date (please specify by state)?

Response: The information is submitted for the record.

[The information follows:]

STATE CONTRIBUTIONS FOR EMERALD ASH BORER

State	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
IL	0	0	0	\$106,430	\$551,790
IN	0	0	\$499,578	91,458	85,000
MD	0	\$261,400	202,458	270,696	369,093
MI	\$60,000	0	0	135,888	0
MN	0	0	0	0	21,100
NY	0	0	0	0	5,000
OH	26,100	80,000	878,040	340,761	272,085
PA	0	0	0	0	215,000
VA	625	73,549	11,507	11,399	3,570
WV	0	0	0	5,000	0
WI	0	0	8,027	166,434	162,052
Total	\$86,725	\$414,949	\$1,599,610	\$1,128,066	\$1,684,690

State	FY 2008	FY 2009	FY 2010	FY 2011
AK	0	0	\$1,000	0
AZ	\$33,830	0	0	0
CA	0	\$30,874	0	0
CT	10,231	10,845	0	0
FL	0	0	22,660	0
GA	22,660	22,660	0	0
IL	370,588	370,589	48,050	0
IN	65,500	30,400	0	0

State	FY 2008	FY 2009	FY 2010	FY 2011
IA	2,000	0	0	0
KS	0	0	159,512	\$8,105
KY	77,361	79,672	0	0
LA	0	6,825	20,937	2,382
ME	4,024	4,273	166,800	0
MD	195,193	158,419	0	0
MA	0	0	37,961	0
MI	0	0	37,105	0
MT	6,519	6,224	0	6,744
NV	2,144	2,144	2,144	2,144
NJ	45,995	0	0	0
NY	0	110,104	0	0
OH	219,481	83,559	0	0
OK	0	0	7,937	7,935
OR	8,675	0	0	0
PA	29,864	176,385	0	0
RI	6,432	2,922	2,473	0
SC	3,273	3,273	0	0
VT	0	0	46,585	0
VA	8,779	79,107	0	0
WA	0	5,000	0	5,000
WV	0	0	116,855	0
WI	228,644	189,121	0	0
Total	\$1,341,193	\$1,372,396	\$670,019	\$32,310

## ASIAN LONGHORNED BEETLE

Mr. Kingston: APHIS requests an increase of \$11.97 million or a total of \$45 million in fiscal year 2012 for Asian Longhorned Beetle eradication efforts. Your Explanatory Notes estimate that if these funds were made available, \$25 million would go to Massachusetts, \$18 million would go to New York, and \$2 million would go to New Jersey. Ms. Smith's testimony states that "In FY 2010, surveys revealed just one infested tree in New York." Her testimony goes on to say that the Boston, Massachusetts outbreak was limited to six trees. How can APHIS justify this level of funding for eradication efforts if the surveys do not indicate a presence of the pest in these specific areas?

a) Please update the Committee on the status of Asian longhorned beetle infestation, including a status of the emergency eradication program. What is the overall status of efforts to combat the Asian longhorned beetle?

Response: We are currently conducting Asian longhorned beetle (ALB) eradication activities in New York, New Jersey, and Massachusetts. These activities support an area-wide integrated pest eradication strategy to

eliminate the ALB from the United States and prevent future introductions. This successful strategy has allowed APHIS and cooperators to eradicate two ALB infestations so far, in Chicago, Illinois, and Hudson, New Jersey.

APHIS uses several tactics and tools to control and eradicate ALB infestations. While these tools and activities are proven effective, they must take place continuously over the course of several years. This is because the detection of a single beetle could indicate that more beetles are in the area attacking other trees. This is based on the beetle's dispersal and flight ability. For this reason, APHIS and its cooperators conduct surveys, remove infested trees, and remove all host trees and apply chemical treatments within a half-mile of any infested tree. ALB can be declared eradicated from an area only after several years of negative surveys and treatments, regardless of the size of the infestation. In addition to survey and control activities, regulatory actions must be taken to minimize the human-assisted spread of the pest. It is true that the Boston outbreak was limited to six trees. But the far more problematic area is Worcester, where more than 2,000 infested trees were found in 2010 and where we continue to find infested trees.

The New York program covers most of Manhattan, parts of Brooklyn and Queens, and two areas of Long Island: Islip, and an area along the Nassau-Suffolk County line. APHIS expects to eradicate the Islip infestation this fall. This will be the first ALB infested area in New York to be eradicated. Activities in Manhattan have ended except for a final confirmation survey, which will conclude in FY 2013. The program is continuing treatments in Brooklyn and Queens, and ground surveys throughout the infested areas of New York, except in Islip. The New Jersey outbreak covers parts of Middlesex and Union Counties, as well as Staten Island in New York City. APHIS is conducting surveys and preventative treatments throughout the area. In Staten Island, APHIS expects to complete treatments this fall. In Massachusetts, program officials are continuing to delimit the infested area in Worcester County. We are still detecting infested trees, but in far fewer numbers and lower infestation levels. In July 2010, the program found six infested trees in Boston. We promptly removed the trees and have not found any additional infested trees. The quarantine area in the Boston area covers 10 square miles. This infestation was detected early, likely two years from its inception, due to extensive outreach efforts within New England.

b) How much has been spent to date on the Asian Longhorned Beetle by APHIS? (Please distinguish appropriated funds from CCC funds.)

Response: As of March 1, 2011, APHIS has spent approximately \$391.9 million on ALB eradication activities since the program began in FY 1997. Of this total, \$229.5 million is from appropriated funds and \$162.4 million is from emergency funds transferred from the Commodity Credit Corporation.

c) How much have states contributed to Asian Longhorned Beetle management and eradication to date (please specify by state)?

Response: The information is submitted for the record.

[The information follows:]

State Contributions to ALB Management and Eradication (Dollars in Millions)		
Dates	Amount	State
FY 1997 - 2011	\$84.5	New York
FY 1998 - 2007	7.7	Illinois
FY 2002 - 2011	7.6	New Jersey
FY 2009 - 2011	5.5	Massachusetts *

\*Includes contributions from Massachusetts and neighboring States

#### ANIMAL WELFARE PROGRAM

Mr. Kingston: Please provide a table showing, by state, the number of staff years assigned to the animal welfare program as well as the number of animal care facilities, in each state for fiscal years 2009 and 2010 as well as estimated for fiscal years 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

State	FY 2009		FY 2010		Licensed Facilities Licensed Facilities
	Staff Year	Expenditure	Staff Year	Expenditure	
ALABAMA	1.5	\$160,618	1.5	\$174,488	62
ALASKA	0.2	21,416	0.2	21,197	20
ARIZONA	1	107,079	1	105,987	51
ARKANSAS	3	321,236	3	325,093	337
CALIFORNIA	9	963,709	13	1,021,761	530
COLORADO**	22	2,355,733	35	2,977,062	100
CONNECTICUT	2	214,158	2	206,730	83
DELAWARE	0.25	26,770	0.3	207,988	9
DISTRICT OF COLUMBIA*	0.25	26,770	1.5	65,938	12
FLORIDA	7	749,551	7	723,553	443
GEORGIA	1.5	160,618	1.5	251,477	162
HAWAII	1	107,079	1.1	110,160	40
IDAHO	0.3	32,124	0.3	31,796	20
ILLINOIS	2	214,158	2	206,730	260
INDIANA	3	321,236	3.5	356,317	218

State	FY 2009		FY 2010		Licensed Facilities Licensed Facilities
	Staff Year	Expenditure	Staff Year	Expenditure	
IOWA	3	321,236	5.8	571,530	477
KANSAS	3	321,236	3	324,928	422
KENTUCKY	0.5	53,539	1	95,529	57
LOUISIANA	1	107,079	2	152,472	66
MAINE	0.25	26,770	0.3	80,247	23
MARYLAND*	19.25	2,061,266	41.8	5,615,342	87
MASSACHUSETTS	3	321,236	3	310,095	163
MICHIGAN	3.5	374,776	3.5	361,777	195
MINNESOTA	3.5	374,776	6.5	361,777	201
MISSISSIPPI	1	107,079	1	100,988	38
MISSOURI	15	1,606,181	16.7	1,757,290	1549
MONTANA	1	107,079	1	105,987	33
NEBRASKA	2	214,158	2	211,974	169
NEVADA	0.6	64,247	0.6	63,592	58
NEW HAMPSHIRE	1	107,079	1	100,988	23
NEW JERSEY	2.75	294,467	2.8	288,679	105
NEW MEXICO	1.3	139,202	1.6	137,783	47
NEW YORK	3	321,236	3.1	330,501	326
NORTH CAROLINA**	23.5	2,516,351	35.9	2,934,445	154
NORTH DAKOTA	1	107,079	1	105,987	29
OHIO	3.25	348,006	3.3	337,055	336
OKLAHOMA	6	642,473	6	650,184	533
OREGON	2	214,158	2	216,728	87
PENNSYLVANIA	4	428,315	4	403,951	444
RHODE ISLAND	0.25	26,770	0.3	25,247	15
SOUTH CAROLINA	1	107,079	1	100,988	96
SOUTH DAKOTA	1	107,079	1	105,987	133
TENNESSEE	1	107,079	1	100,988	116
TEXAS	6	642,473	8	824,896	517
UTAH	1	107,079	1	105,987	43
VERMONT	0.1	10,708	0.1	10,099	13
VIRGINIA	2	214,158	1	100,988	138
WASHINGTON	2	214,158	2	216,728	96
WEST VIRGINIA	1.5	160,618	1.5	151,482	24
WISCONSIN	2.5	267,697	2.8	259,125	231
WYOMING	0.1	10,708	0.1	10,599	11
GUAM	0.1	10,708	0.1	10,599	3
PUERTO RICO	0.1	10,708	0.1	10,099	6

State	FY 2009		FY 2010		Licensed Facilities Licensed Facilities
	Staff Year	Expenditure	Staff Year	Expenditure	
VIRGIN ISLANDS	0.05	5,354	0.05	5,049	2
Total	177.1	\$18,963,647	241.85	\$24,444,965	9,413

State	FY 2011 Estimated		FY 2012 Estimated	
	Staff Year	Expenditure	Staff Year	Expenditure
ALABAMA	1.5	\$174,488	1.5	\$174,488
ALASKA	0.2	21,197	0.2	21,197
ARIZONA	1	105,987	3	420,654
ARKANSAS	3	317,962	3	317,962
CALIFORNIA	11	953,885	12	1,146,218
COLORADO**	28	2,921,810	30	3,237,687
CONNECTICUT	2	201,976	2	201,976
DELAWARE	0.25	25,247	0.25	25,247
DISTRICT OF COLUMBIA*	2	165,938	3.5	401,938
FLORIDA	7	706,915	9	706,915
GEORGIA	2	151,482	2.5	230,149
HAWAII	1	105,987	1	105,987
IDAHO	0.3	31,796	0.3	31,796
ILLINOIS	2	201,976	3	359,309
INDIANA	3	302,964	4	460,297
IOWA	4	404,758	5.3	644,291
KANSAS	3	317,797	4	475,130
KENTUCKY	0.5	50,494	0.5	50,494
LOUISIANA	1	105,987	1	105,987
MAINE	0.25	80,247	0.25	80,247
MARYLAND*	36	4,693,128	41	5,577,042
MASSACHUSETTS	3	302,964	4	460,297
MICHIGAN	4.5	353,458	4.5	353,458
MINNESOTA	7	353,458	7.5	432,125
MISSISSIPPI	1	100,988	7	1,044,988
MISSOURI	14.8	1,589,808	17	1,970,941
MONTANA	1	105,987	1	105,987
NEBRASKA	2	211,974	3	369,307
NEVADA	0.6	63,592	1.6	220,925

State	FY 2011 Estimated		FY 2012 Estimated	
	Staff Year	Expenditure	Staff Year	Expenditure
NEW HAMPSHIRE	1	100,988	1	100,988
NEW JERSEY	2.75	277,717	2.75	277,717
NEW MEXICO	1.3	137,783	1.3	137,783
NEW YORK	3	302,964	5	617,631
NORTH CAROLINA**	23.35	2,510,773	29.1	3,481,648
NORTH DAKOTA	1	105,987	1	105,987
OHIO	4	328,211	4.25	367,544
OKLAHOMA	6	635,923	6	635,923
OREGON	2	211,974	3	369,307
PENNSYLVANIA	4	403,951	4	403,951
RHODE ISLAND	0.25	25,247	0.25	25,247
SOUTH CAROLINA	1	100,988	1	100,988
SOUTH DAKOTA	1	105,987	1	105,987
TENNESSEE	1	100,988	1	100,988
TEXAS	6	635,923	9	1,152,923
UTAH	1	105,987	1	105,987
VERMONT	0.1	10,099	0.1	10,099
VIRGINIA	1	100,988	1	100,988
WASHINGTON	2	211,974	2	211,974
WEST VIRGINIA	1.5	151,482	1.5	151,482
WISCONSIN	2.5	252,470	2.5	252,470
WYOMING	0.1	10,599	0.1	10,599
GUAM	0.1	10,599	0.1	10,599
PUERTO RICO	0.1	10,099	0.1	10,099
VIRGIN ISLANDS	0.05	5,049	0.05	5,051
Total	209	\$21,979,000	251	\$28,587,000

\*- (this amount includes Headquarters offices)

\*\*-(this amount includes State and Regional offices)

Mr. Kingston: Provide a table showing inspection activities of the Animal Welfare Program for fiscal year 2009 and 2010. Provide a definition of the column headings to better explain the data.

Response: The information is submitted for the record.

[The information follows:]

ANIMAL WELFARE PROGRAM  
INSPECTION ACTIVITIES FOR FISCAL YEAR 2009

	Number of Facilities Inspected	Average Number of Inspections Per Facility	Total Number of Inspections
Inspections for Compliance:			
Dealers	4,529	1.20	5,438
Research Facilities	1,157	1.42	1,644
Exhibitors	2,432	1.45	3,518
In-transit Handlers	78	2.23	174
In-transit Carriers	115	5.29	609
Subtotal	8,311	1.37	11,383

	Number of Facilities Inspected	Average Number of Inspections Per Facility	Total Number of Inspections
Other Types of Inspections:			
Pre-licensing and Preregistration Inspections	N/A*	N/A*	1,479
Attempted Inspections	N/A*	N/A*	1,391
Inspections of Dealers and Exhibitors - Not Licensed	N/A*	N/A*	70
Subtotal			2,940
Total Inspections			14,323

ANIMAL WELFARE PROGRAM  
INSPECTION ACTIVITIES FOR FISCAL YEAR 2010

	Number of Facilities Inspected	Average Number of Inspections Per Facility	Total Number of Inspections
Inspections for Compliance:			
Dealers	4,235	1.12	4,730
Research Facilities	1,230	1.37	1,685
Exhibitors	2,773	1.33	3,700
In-transit Handlers	188	1.38	260
In-transit Carriers	284	2.76	783
Subtotal	8,710	1.26	11,158

	Number of Facilities Inspected	Average Number of Inspections Per Facility	Total Number of Inspections
Other Types of Inspections:			
Pre-licensing and Preregistration Inspections	N/A*	N/A*	1,428
Attempted Inspections	N/A*	N/A*	1,393



	Number of Facilities Inspected	Average Number of Inspections Per Facility	Total Number of Inspections
Inspections of Dealers and Exhibitors - Not Licensed	N/A*	N/A*	89
Subtotal			2,910
Total Inspections			14,068

\* = The Animal Welfare Program does not count them to be "facilities" until they are licensed.

A facility is the holder of the license or registration. Each facility may have only one license or registration number but may be physically divided into two or more sites.

Inspections for Compliance are unannounced inspections completed after licensing or registration, to determine the facility's compliance with the Animal Welfare Act (AWA) regulations and standards. Since these inspections are unannounced, the licensee may not be present at the facility when the inspector arrives at the location, causing a delay in inspection. These inspections are labeled as attempted inspections. Compliance inspections include re-inspections.

Pre-licensing or Pre-registration Inspections are announced inspections made after application for licensure or registration has been submitted, to ascertain compliance with the AWA regulations and standards prior to licensing or registering the facility. Pre-licensing inspections are required. Pre-registration inspections, although not required, are often performed upon request of the facility.

#### REGULATORY ENFORCEMENT AND ANIMAL CARE

Mr. Kingston: Please provide a table showing the funding levels, both dollars and staff, allocated for Regulatory Enforcement and Animal Care for fiscal years 2005 through 2010.

Response: The information is submitted for the record.

[The information follows:]

#### REGULATORY ENFORCEMENT FUNDING AND STAFF YEARS

Fiscal Year	Funding (Appropriated)	Staff Years
2005.....	\$9,306,944	101
2006.....	9,959,654	109
2007.....	10,396,000	109
2008.....	12,351,000	125
2009.....	13,694,000	132
2010.....	15,483,000	154

ANIMAL CARE  
FUNDING AND STAFF YEARS

Fiscal Year	Funding (Appropriated)	Staff Years
2005.....	\$16,952,146	175
2006.....	17,792,794	183
2007.....	17,970,000	183
2008.....	20,992,000	200
2009.....	21,522,000	204
2010.....	24,479,000	242

Mr. Kingston: Also provide a table that shows the number of: dealer facilities; complaints registered against these facilities; inspections and re-inspections that took place; cases submitted by Animal Care to Regulatory Enforcement for review and action; and each case resolution to include fiscal years 2008 through 2010.

Response: The information is submitted for the record.

[The information follows:]

ANIMAL CARE INSPECTION ACTIVITIES

Category	Fiscal Year 2008	Fiscal Year 2009	Fiscal Year 2010
Total Number of Dealer Facilities	12,785	12,488	11,886
Complaints Registered against Facilities	540	461	503
Inspections/Re-inspections	15,576	14,323	13,996
Cases Submitted	221	358	573
Resolution: Official Warnings	264	433	663
Stipulations Settled	65	49	74
Formal Administrative Law Judge (ALJ) Decision	24	10	19
Civil Penalties by ALJ	\$1,099,782	\$414,050	\$239,993
Suspensions/Revocations	54	46	44

## INSPECTIONS OF IN-TRANSIT CARRIERS AND IN-TRANSIT INTERMEDIATE HANDLERS

Mr. Kingston: How many unannounced inspections of registered in-transit carriers and in-transit intermediate handlers were conducted in fiscal year 2010 and how many do you expect to conduct in fiscal years 2011 and 2012?

Response: The information is submitted for the record.

[The information follows:]

UNANNOUNCED INSPECTIONS  
OF IN-TRANSIT CARRIERS AND IN-TRANSIT INTERMEDIATE HANDLERS

	FY 2010 (Actual)	FY 2011 (Est.)	FY 2012 (Est.)
In-transit carriers	805	765	730
In-transit intermediate handlers	207	195	187

Agency resources for enforcing the Animal Welfare Act are assigned based on risk, and all APHIS inspections are unannounced. APHIS projects that reductions in unannounced inspections of the in-transit carriers and in-transit intermediate handlers will occur due to their lower risk of non-compliance.

## CLASS B DEALERS

Mr. Kingston: What is APHIS doing to regulate Class B dealers? How much funding is spent on that regulation for FY 2009 and 2010 as well as planned in FY 2011 and 2012??

Response: In enforcing the Animal Welfare Act (AWA), APHIS works closely with other Federal agencies and frequently interacts with regulated professional groups, industry organizations, humane groups, the scientific community, and other concerned associations or individuals. To enhance compliance with regulations, the Agency conducts comprehensive investigations and pursues sound enforcement actions. APHIS works closely with USDA's Office of General Counsel, other Federal agencies, State and local government, and industry groups in these efforts.

Since FY 1993, APHIS has regularly conducted trace back efforts on dogs sold by random-source, Class B animal dealers. These dealers, who supply animals to the research community, typically obtain them from pounds and shelters, pet owners who wish to relinquish ownership, and other legitimate sources. However, there has always been concern that some of these dealers may be trafficking in stolen animals.

The AWA requires random source dealers to maintain accurate records of the acquisition and disposition of their animals. APHIS' trace back effort has focused on making sure these records are accurate and complete. To optimize this effort, APHIS has conducted quarterly inspections of all random source dealers since the trace back project went into effect in 1993. The results of these efforts have been significant. Since FY 1993, the percentage of animals traced back to their original source has increased from a more than 40 percent to more than 72 percent in FY 2010. APHIS investigates unsuccessful trace backs. At the same time, the number of random source dealers has decreased from 108 to the current nine.

APHIS employs a two-pronged enforcement strategy. For licensees and registrants who show an interest in improving the conditions of their animals, the Agency actively works to bring the facility into compliance through education, while at the same time, sending a clear message that future violations will not be tolerated. For licensees and registrants who do not improve the conditions for their animals, APHIS pursues enforcement action. Of the nine random source dog dealers currently licensed, six are under investigation for allegedly violating the AWA. An indictment was unsealed by the United States Attorney's Office on March 9, 2011, for one of the random source dog dealers for identity theft, mail fraud, and making false statements to a government agency.

While APHIS can track the number of inspections and the inspection outcomes, the Agency is unable to provide an amount representing what was spent in FY 2010 due to the fact that costs associated with inspections and enforcement for random source, Class B dealers are not tracked separately from other inspection and enforcement activities.

#### BRUCELLOSIS

Mr. Kingston: What is the most recent data on herds under quarantine in the United States for brucellosis? How many States are in Class Free Status and Class A Status?

Response: All fifty States, the District of Columbia, Puerto Rico, and the Virgin Islands have been officially classified Class Free for bovine brucellosis since July 2009.

There are currently two cattle herds and two domestic bison herds under quarantine in two States of the Greater Yellowstone Area. The herds are privately owned. The two cattle herds and one of the domestic bison herds are located in Park County, Wyoming. The second bison herd is located in Gallatin County, Montana. Each herd has an affected-herd plan in place and intensive epidemiologic investigations, including testing of area herds, are in progress. No epidemiological links between these herds have been identified.

Due to the publishing of an interim rule on December 27, 2010, Wyoming and Montana are able to keep their Class Free status. The interim rule provides that a State will retain Class Free status if the affected herd is maintained under quarantine; an individual herd plan, including a test and remove schedule, is developed and implemented for each affected herd to prevent the spread; and appropriate surveillance is conducted to detect brucellosis in other herds or species.

Mr. Kingston: Provide a five-year table, including estimates for fiscal year 2010 and 2011 that shows the amount spent on brucellosis-infected bison at Yellowstone National Park. Also, provide a brief explanation of how these funds were used.

Response: The information is submitted for the record.

[The information follows:]

APHIS' BRUCELLOSIS EXPENDITURES FOR YELLOWSTONE NATIONAL PARK	
Fiscal Year	Amount Spent (Dollars in Thousands)
2007	\$1,791
2008	\$1,140
2009	\$1,005
2010	\$1,123
2011	\$1,100 (estimate)

APHIS provides expertise to land and wildlife management agencies in the management of brucellosis in Yellowstone National Park (YNP) and in the Greater Yellowstone Area (GYA). APHIS is working with other Federal and State agencies to develop a brucellosis management and mitigation plan in the GYA. In addition, APHIS personnel assist with liaison activities, planning, bison capture, bison hazing, testing and sampling, and laboratory support. In FY 2011, APHIS will conclude the second year of a two year study to evaluate the transmission of brucellosis in bull bison semen.

In FY 2011, USDA (APHIS and the Agricultural Research Service) continued its developmental projects on the RB51 vaccine in anticipation of its routine use in the YNP bison as part of the bison management plan.

During the most recent bison nomadic movement period (October 2009 through May 2010), more than 132 separate hazing operations occurred to move bison found outside of the YNP back into the park. In 2010/2011, 787 bison have been captured and held at a quarantine facility, none of which were sent to slaughter. Additionally, 62 of the 787 bison captured were released back into YNP. Some of these captured bison that tested negative for brucellosis were vaccinated with the RB51 vaccine.

As part of the cooperative agreement program with the state of Montana, APHIS provides funds for hazing and capture operations to return bison to the park and thus prevent the transmission of brucellosis to domestic livestock. APHIS has transferred some of the financial responsibility of these GYA efforts to the affected States. This transfer will ensure that the States share more responsibility for supporting activities carried out in targeted or localized areas. Accordingly, APHIS plans to use \$1.1 million in support of the YNP activities in FY 2011.

#### FOOT-AND-MOUTH ERADICATION

Mr. Kingston: APHIS works with Central and South American countries to meet the Pan American Health Organization goal for foot-and-mouth eradication. What is the status of these initiatives as well as their costs?

Response: APHIS cooperates directly with the Colombian Agriculture Institute (ICA) to eradicate foot-and-mouth disease (FMD) in Colombia and has cooperative agreements with the Inter-American Institute for Cooperation in

Agriculture (IICA) for the administration of APHIS funds in Ecuador, Venezuela, Bolivia, and Paraguay. In addition, APHIS is collaborating with IICA, the United Nation's Food and Agriculture Organization (FAO), the World Animal Health Organization (OIE), Pan-American Health Organization/Pan-American Center for Foot-and-Mouth Disease (PAHO/PANAFTOSA) and other international organizations to ensure optimal and coordinated use of all resources consistent with the Hemispheric Program for the Eradication of Foot-and-Mouth Disease (PHEFA). To ensure smooth coordination with other organizations, APHIS established a liaison position with PANAFTOSA in Brazil. In FY 2011, APHIS is providing a total of approximately \$1.166 million through cooperative agreements to the following countries: Colombia/ICA (\$454,000); Venezuela/IICA (\$100,000); Ecuador/IICA (\$100,000); Panama (\$487,000); and Brazil/GEIFA (\$25,000).

*Colombia* - APHIS began cooperating with Colombia 30 years ago with the goal of creating a barrier against FMD on the Colombia-Panama border. Colombia is a key location to help prevent the spread of FMD north through Panama and into Central America, and despite recent gains in its animal health status, this status is threatened by borders with high risk countries. In the past 30 years, much progress has been made, with 96.3 percent of Colombian cattle vaccinated for FMD. After the outbreak in FY 2009 along the border with Ecuador, the program performed increased surveillance and serological studies to ensure that FMD free status with vaccination was regained and certified by OIE in February 2010. Additional activities have been concentrated in the high-risk zone along the border with Venezuela, such as movement controls and regulating animal concentration points. Four disease simulation exercises have been held to maintain a high level of alertness for FMD. This program serves as an important example of collaborative efforts between the Colombian government, livestock producers, and USDA. In FY 2010, there were no outbreaks of FMD cases in Colombia. Also in FY 2010, the FMD program in Colombia conducted 542 field investigations of cattle with symptoms that could indicate FMD. Most of the cases are vesicular stomatitis, a disease clinically indistinguishable from FMD.

*Venezuela, Ecuador, and the Chaco region* - Other countries in South America that border Colombia are still struggling with eradication. Three critical areas are Venezuela, Ecuador, and the Chaco region (comprised of parts of Paraguay, Argentina, and Bolivia). In these areas, APHIS continues to support veterinary laboratories, create emergency response units, establish movement control posts, and support vaccination campaigns, among other things. In FY 2010, APHIS supported the 2010 vaccination campaigns that improved the coverage rates in Ecuador, and developed and implemented nationwide a system to issue electronic cattle movement certificates and a farm/cattlemen census in November 2010. Efforts in these areas are important to sustain the advances made in Colombia over the past 30 years and are critical to the goal of hemispheric eradication of FMD.

*Panama* - APHIS focused on maintaining the region as free of screwworm and conducting surveillance for highly contagious diseases such as FMD. APHIS cooperated with Panama's Ministry of Agriculture to conduct FMD prevention activities in conjunction with screwworm prevention activities in Panama. As part of the outreach campaign, APHIS supported more than 27,000 visits to farms and ranches, and training to more than 21,000 agricultural students, community leaders, and producers in FY 2010. APHIS collaborated in the inspection of 89,894 animals, 44,657 vehicles, and 358 boats at control points. The program intercepted and destroyed 24 illegal shipments of animal products. APHIS and Panama's Ministry of Agriculture maintain a laboratory

that combines technologies to analyze all samples for vesicular diseases, avian influenza (AI), and FMD from Central America. In FY 2010, the laboratory tested 359 samples from Central America and Panama. This number is reduced in comparison to previous years because vesicular stomatitis is a cyclical disease with clinical cases peaking in 2007. None of the samples tested positive for FMD.

*Other South American countries* - Chile and Uruguay are considered free of the disease; Brazil, Argentina, and Colombia are nearly free; Bolivia has free zones; and Peru is preparing to propose free areas to the OIE. Ecuador has improved its historical vaccination coverage from 55 percent to over 85 percent since 2008 and is working to improve the diagnostic laboratories and cattle movement controls. Continued support from international organizations, industry-led organizations, and APHIS are necessary to make the concerted effort needed for hemispheric FMD eradication. Recent developments, including the formation of the industry-led Inter-American Group for the Eradication of Foot-and-Mouth Disease (GIEFA) and interest in FAO involvement of FMD eradication are promising.

*Bolivia* - APHIS provides technical support to the national FMD eradication program in Bolivia through stationing a veterinary health officer in the country. Bolivia has maintained a region of the country free of FMD with vaccination since 2003. Targeting activities to the highest risk regions has been a critical and successful strategy for eradication success. APHIS provides a veterinarian expert advisor to the program as well as an administrative assistant, while USDA's Foreign Agricultural Service provides funds to support the program. Priorities for the upcoming year include active surveillance and studies in the areas not free of the virus, Chaco region (comprised of parts of Paraguay, Argentina, and Bolivia) and Santa Cruz, and determining FMD niches. Bolivia continues progressing in its campaign for FMD eradication with strong producer and local government support.

#### FRUIT FLY EXCLUSION AND DETECTION

Mr. Kingston: Please provide the Committee with a table showing a breakout of activities, costs, and source of funding for fruit fly exclusion and detection for fiscal years 2009 and 2010 and planned expenditures for fiscal years 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

Fruit Fly Exclusion and Detection Program Spending (dollars in thousands)					
	International Mediterranean Fruit Fly Activities (Moscamed)	Domestic and International Mexican Fruit Fly Activities	Domestic Survey/ Preventive Release Program	Domestic Emergency Response	Total
FY 2009					
Appropriation	\$25,067	\$8,831	\$27,535	\$5,355	\$66,788
CCC	\$93*	\$143	\$0	\$94	\$330
Farm Bill Section 10201	\$0	\$0	\$0	\$623	\$623
FY 2010					
Appropriation	\$25,576	\$9,429	\$25,335	\$0	\$60,340
CCC	\$243*	\$0	\$0	\$0	\$243
Farm Bill Section 10201	\$0	\$0	\$0	\$3,609	\$4,029
FY 2011 (Est.)					
Appropriation	\$26,817	\$7,802	\$29,917	\$2,000**	\$66,536***
FY 2012 (est.)					
Appropriation	\$24,856	\$5,703	\$29,361	\$0**	\$59,920

\*APHIS requested emergency funds for the Moscamed program in 2004, when there were numerous Medfly detections north of the barrier near the Mexico Guatemala border. The CCC carryover was used to continue enhancing Medfly suppression in Mexico and Guatemala to prevent the northward movement of Medfly toward the United States.

\*\*APHIS will re-evaluate the need for emergency response activities based on new fruit fly detections that may occur (the current estimate for FY 2011 includes completing emergency actions initiated in FY 2010 and response to one new detection).

\*\*\*Includes planned spending from carryover funds of \$3.6 million in addition to new appropriation of \$62.92 million.

#### PSEUDORABIES

Mr. Kingston: Please provide a table showing the amounts, both federal and non-federal, that each state expended on the pseudorabies program as well as the stage of each state for fiscal years 2009 and 2010 and planned expenditures for fiscal years 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]



## APHIS' PSEUDORABIES ERADICATION EXPENDITURES BY STATE

STATE	FY 2009 Actual		FY 2010 Actual		FY 2011 Planned	
	Federal	Non-Federal	Federal	Non-Federal	Federal	Non-Federal
Alabama	\$102,036	0	\$95,900	0	\$95,900	0
Alaska	2,400	0	0	0	0	0
Arizona	5,000	0	5,000	0	5,000	0
Arkansas	1,782	\$7,390	0	0	0	0
California	0	0	83,479	0	83,479	0
Colorado	864	0	848	0	848	0
Connecticut	3,034	3,822	4,500	\$2,800	4,500	\$2,800
Delaware	3,640	0	6,594	0	6,594	0
Georgia	317,327	0	278,085	34,092	278,085	34,092
Hawaii	134,383	0	114,802	0	114,802	0
Idaho	1,353	0	1,850	0	1,850	0
Illinois	578,902	0	300,115	0	300,115	0
Indiana	29,455	0	30,825	0	30,825	0
Iowa	55,306	0	45,682	0	45,682	0
Kentucky	26,104	0	4,310	0	4,310	0
Louisiana	0	0	4,140	0	4,140	0
Michigan	105,508	0	5,162	0	5,162	0
Minnesota	78,337	50,000	95,856	0	95,856	0
Missouri	73,076	0.00	47,050	0.00	47,050	0
Nevada	364	0	0	0	0	0
New Hampshire	1,904	0	646	0	646	0
New Mexico	121	105	6,000	1,600	6,000	1,600
New York	18,759	0	168,495	0	168,495	0
North Carolina	414,331	0	712,526	0	722,442	0
North Dakota	3,000	0	0	0	0	0
Oklahoma	68,785	125,904	105,990	0	105,990	0
Oregon	1,000	0	600	0	600	0
Pennsylvania	109,147	7,589	81,186	0	81,186	0
Rhode Island	0	0	18,555	0	18,555	0
South Dakota	49,346	0	49,555	0	49,555	0
Tennessee	35,000	0	35,000	0	35,000	0
Utah	30,444	0	30,257	0	30,257	0
Vermont	1,000	0	1,000	0	1,000	0
Virginia	158,027	0	154,754	0	154,754	0
Washington	0	0	1,025	0	1,025	0
Wisconsin	7,933	0	1,769	0	1,769	0
Wyoming	6,764	18,105	2,528	0	2,528	0
TOTAL	\$2,424,432	\$212,915	\$2,494,084	\$38,492	\$2,504,000	\$38,492

All of the States and territories have achieved Stage V status. Stage V denotes disease-free status and applies only to commercial production swine. It does not apply to feral or captive transitional swine that are at risk for exposure to the pseudorabies virus.

Because all States have achieved Stage V status, there are no planned expenditures for FY 2012 for specific pseudorabies eradication efforts. The Agency will continue disease management activities to ensure the absence of the disease in the United States.

#### NOXIOUS WEEDS

Mr. Kingston: Did you discover any new noxious weed introductions in the past two years? If so, what actions were taken to address the issues?

Response: In FY 2009, APHIS responded to several new infestations of hydrilla in Indiana, a new infestation of *Orobancha ramosa* in California, and a new infestation of *Orobancha minor* in Tennessee. Hydrilla is an aquatic weed that interferes with recreation and destroys fish and wildlife habitats. Once established, it decreases water flow and clogs irrigation and flood-control canals. *Orobancha ramosa* is a perennial herb that drains nutrients from many crops, potentially causing severe damage. *Orobancha minor* is a highly prolific, parasitic plant that can cause failure in crops such as leafy green vegetables. As of March 2011, we are continuing to work with cooperators to eradicate these infestations. Also in FY 2009, the State of Hawaii eradicated two new detections of *Senecio madagascariensis* (Madagascar ragwort) on Kauai. This invasive herb invades pastures and can kill livestock. The species is more widespread on the Big Island and Maui, so the State is monitoring populations and advising landowners and managers on control methods.

In FY 2010, we found a new infestation of Mile-a-minute weed (*Mikania micrantha*) in Florida. This weed is widespread in the tropics, grows quickly, and covers other plants. Currently, we are working with the Florida Department of Agriculture and Consumer Services (FDACS) to eradicate it. After completing some delimiting surveys, FDACS has decided to take official action against it by eradicating it where possible and placing infested nurseries under quarantine. This is the only known infestation on the U.S. mainland, although it is present in Puerto Rico and Guam. In FY 2010, we also found another new infestation of *Orobancha ramosa* in California. To address this infestation, we are working with the California Department of Food and Agriculture on regulatory and eradication activities.

As of March 10, 2011, we have not found any new infestations of current Federal Noxious Weeds (FNW) in FY 2011. However, we did find new infestations of candidate FNW species, namely *Praxelis* (*Praxelis clematidea*) in Orange County, Florida, and the South American Sponge Plant (*Limnolobos laevigatum*) in California. *Praxelis* is a short-lived perennial herb native to South America. It spreads rapidly by seed along roadsides, and invades pastures and native vegetation where it can form dense stands that exclude other vegetation. The South American Sponge Plant is a perennial, invasive aquatic plant from Central and South America that grows wild in lakes, ponds, and slow rivers. Adult plants can develop quickly to exclude plants growing below. Currently, we are working with cooperators to develop plans to manage these infestations.

## BOLL WEEVIL PROGRAM

Mr. Kingston: Please provide a table showing boll weevil funding, to include fiscal year 2009 and 2010 actuals and estimates for 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

Boll Weevil Eradication Program Obligations (dollars in thousands)	
FY 2009	\$26,297
FY 2010	15,001
FY 2011 (est.)	13,500
FY 2012 (est.)	4,556

Mr. Kingston: Please indicate which states have received boll weevil funding since 2007 and the amounts received by each.

Response: The information is submitted for the record, including the funds APHIS provided to California for activities in Mexico.

[The information follows:]

APHIS EXPENDITURES FOR BOLL WEEVIL BY STATE  
(Dollars in Thousands)

State	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011
Arizona	\$305	\$85	\$84	\$84	\$83
Arkansas	5,099	2,921	0	0	0
Kansas	27	0	0	0	0
Louisiana	1,520	1,383	0	0	0
Mississippi	1,557	1,660	0	0	0
Missouri	1,667	1,794	0	0	0
New Mexico	111	109	108	107	107
Oklahoma	576	512	0	0	0
Tennessee	2,027	2,182	0	0	0
Texas	24,695	18,596	15,612	11,842	10,842
California & Mexico	401	682	762	757	752
Total	\$37,985	\$29,924	\$16,566	\$12,790	\$11,784

Mr. Kingston: What activity has there been in the boll weevil loan program?

Response: As program areas move toward the final phases of eradication, the need for additional loans will diminish rapidly. In FY

2010, there were no new loans issued, and nearly 90 percent of previously issued loans have been repaid.

[The information follows:]

BOLL WEEVIL ERADICATION LOAN PROGRAM		
Program Area	Total Loans: 1997-2010	Farm Service Agency Debt: September 2010
Texas	\$705,490,000	\$77,820,000
Mississippi	55,727,000	0
Southeastern States	22,747,500	0
Arkansas	109,330,000	23,920,000
Tennessee	68,716,000	0
South Central New Mexico	1,300,000	0
Pecos Valley New Mexico	1,675,000	0
Oklahoma	13,000,000	0
Missouri	14,317,000	0
TOTALS	\$992,302,000	\$101,740,000

Mr. Kingston: Please provide the latest information on the boll weevil program.

Response: The cotton pests program has eradicated boll weevil from 98 percent of the 16 million acres of U.S. cotton, and APHIS expects to eradicate the pest by the end of 2013. At that time, the program will transition to long-term surveillance activities to prevent the reinfestation of U.S. cotton acreage and protect the investment made in this eradication effort.

The program eradicated boll weevil from the remaining active program area in Louisiana, but storms and drug-related violence along the Mexican border hampered progress in the remaining active zones in Texas. Storms have been a recurring problem in Southern and Eastern Texas, and are the primary reasons for the revision of the projected completion of the Texas program, and thus the entire U.S. program, from 2011 to 2013. Mexico, with technical assistance provided by APHIS, is conducting its own boll weevil eradication program in the area adjacent to the Texas Lower Rio Grande Valley. Due to the drug-related violence in Mexico, Mexico suspended program operations in July, resulting in an increase in weevil populations, leading to weevil migration north into the Texas program area. APHIS and its Texas cooperators continue to address these issues in FY 2011.

#### INFORMATION SYSTEMS ACQUISITIONS

Mr. Kingston: Please provide a table showing a complete breakout of the appropriated funds for information systems acquisition and the purpose of the acquisition for fiscal years 2009 and 2010 as well as estimates for fiscal years 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

APHIS Information Technology Infrastructure Obligations by Purpose/Category FY 2009 - FY 2012 (Dollars in Thousands)				
Purpose	FY 2009	FY 2010	FY 2011 (Est.)	FY 2012 (Est.)
Hardware Acquisitions	\$243	\$293	\$338	\$352
Hardware Maintenance	1,673	1,706	1,785	1,784
Software Acquisitions	304	365	267	285
Software Maintenance	2,483	2,049	2,256	2,201
Totals	\$4,703	\$4,413	\$4,646	\$4,622

#### AGRICULTURAL QUARANTINE INSPECTION

Mr. Kingston: Please provide a table showing the total number of staff years funded through the Agricultural Quarantine Inspection program, both the user fee program and the appropriated program, to include fiscal year 2009 and 2010 and estimated fiscal years 2011 and 2012 estimates.

Response: The information is submitted for the record.

[The information follows:]

#### AGRICULTURAL QUARANTINE INSPECTION PROGRAM STAFF YEARS

Fiscal Year	Appropriated	User Fees	Total
1994	598	1,604	2,202
1995	613	1,872	2,485
1996	613	1,970	2,583
1997	514	1,987	2,501
1998	540	2,000	2,540
1999	546	2,025	2,571
2000	549	2,018	2,567
2001	573	2,370	2,943
2002	701	2,407	3,108

<i>Fiscal Year</i>	<i>Appropriated</i>	<i>User Fees</i>	<b>Total</b>
2003*	293	997	1,290
2004	293	997	1,290
2005	293	997	1,290
2006	303	997	1,300
2007	303	1,012	1,300
2008	303	1,309	1,612
2009	303	1,504	1,807
2010	303	1,350	1,653
2011 (estimated)	303	1,350	1,653
<b>2012 (estimated)</b>	303	1,350	1,653

\*The estimates exclude the 2,655 staff years that were transferred to Department of Homeland Security as of March 1, 2003, and include only those staff years remaining in APHIS.

Mr. Kingston: Please provide a copy of the most recent Memoranda of Understanding between USDA and DHS regarding agricultural inspection, training, and data sharing as well as corresponding agreements involving the exchange of financial resources.

Response: The memoranda are attached for the record.

[The information follows:]

Codified To Appendix 5: Transfer of AQI User Fee Funds from APHIS to CBP for Fiscal Year 2011 (Prepared November 2010).


The following AQI User fee funds transfer is mutually agreed by CBP and APHIS for Fiscal year 2011.

CBP	\$318,115,785
APHIS	\$182,331,722
<b>TOTAL</b>	<b>\$500,447,507</b>

Distribution schedule: Bi-monthly transfers beginning in November 2010 in the amounts below, subject to availability in the fund and may be adjusted during the year as collections become known. Due to the lag in actual collections, we may need to spread out certain of the transfers listed here into multiple transfers.

November	\$53,019,297
January	\$53,019,297
March	\$53,019,297
May	\$53,019,298
July	\$53,019,298
August	\$53,019,298
<b>TOTAL</b>	<b>\$318,115,785</b>

 11-09-2010  
 Paul R. Eggert  
 Associate Deputy Administrator  
 Animal and Plant Health Inspection Service

 11-12-2010  
 Deborah Schilling  
 Chief Financial Officer  
 Customs and Border Protection

Mr. Kingston: Please provide a table showing the amount of AQI fees collected, the amount spent, and the carryover levels.

Response: The information is submitted for the record.

[The information follows:]

AGRICULTURAL QUARANTINE INSPECTION FEE COLLECTIONS & PROGRAM COSTS				
Fiscal Year	Fee Collections	AQI Program Cost	Unavailable Collections	Balance
1992	\$96,340,546	\$85,922,000	--	\$17,306,972
1993	114,015,393	83,362,000	--	47,960,365
1994	100,848,105	98,257,160	--	50,551,310
1995	105,195,342	105,907,999	--	49,838,653
1996	104,274,333	118,607,891	--	35,505,095
1997	115,218,453	130,937,886	\$2,000,000	17,785,662
1998	151,767,608	140,094,753	13,829,975	15,628,542
1999	171,904,404	152,232,527	12,000,000	23,300,419
2000	234,239,087	178,991,516	13,074,000	65,473,990
2001	255,140,941	222,707,164	15,187,000	82,720,767
2002	208,687,788	250,810,204	15,187,000	45,190,584
2003 <sup>a/</sup>	227,822,879	279,149,655	--	40,292,206
2004	256,103,778	313,033,101	--	59,194,684
2005	338,651,015	342,995,000	--	59,498,618
2006	417,937,169	423,653,619	--	71,669,967
2007	472,248,628	465,532,781	--	83,406,367
2008	540,736,588	523,669,907	--	100,608,466
2009	494,483,911	551,282,958	--	50,860,111
2010	<sup>b/</sup> 512,568,490	501,599,661	--	64,151,595
2011(est.)	507,447,557	519,269,748	--	52,329,403
2012(est.)	515,059,270	526,718,886	--	40,669,787

a/APHIS transferred certain AQI functions, including the responsibility for conducting international agricultural quarantine inspections at ports of entry, to the Department of Homeland Security (DHS) in March 2003. From 2003 on, the costs reported here include both APHIS and DHS costs.

b/ Of the amount reported for collections in FY 2010, \$5,118,720 was derived from prior-year collections that was transferred from a Treasury account that is no longer in use.

Mr. Kingston: Please provide a table showing the fee schedule for each activity and changes that have occurred since instituting the user fee.

Response: The information is submitted for the record.



[The information follows:]

AGRICULTURAL QUARANTINE INSPECTION  
USER FEE HISTORY

FY	Effective Dates	Commercial Vessels	Commercial Trucks	Commercial Truck Transporters	Commercial railroad cars	Commercial aircraft	Internat'l Air Passenger
1998	10/1/97 through 9/30/98	\$454.50	\$4.00	\$80.00	\$6.50	\$59.75	\$2.00
1999	10/1/98 through 9/30/99	\$454.50	\$4.00	\$80.00	\$6.50	\$59.75	\$2.00
2000	10/1/99 through 12/31/99	\$461.75	\$4.00	\$80.00	\$6.75	\$60.25	\$2.05
2000	1/1/00 through 9/30/00	\$465.50	\$4.25	\$85.00	\$6.75	\$64.00	\$3.00
2001	10/1/00 through 9/30/01	\$474.50	\$4.50	\$90.00	\$7.00	\$64.75	\$3.00
2002-2004	10/1/01 through 9/3/04	\$480.50	\$4.75	\$95.00	\$7.00	\$65.25	\$3.10
2005	10/1/04 through 9/30/05	\$486.00	\$5.00	\$100.00	\$7.50	\$70.00	\$4.95
2006	10/1/05 through 9/30/06	\$488.00	\$5.25	\$105.00	\$7.50	\$70.25	\$5.00
2007	10/1/06 through 9/30/07	\$490.00	\$5.25	\$105.00	\$7.75	\$70.50	\$5.00
2008	10/1/07 through 9/30/08	\$492.00	\$5.25	\$105.00	\$7.75	\$70.50	\$5.00
2009	10/1/08 through 9/30/09	\$494.00	\$5.25	\$105.00	\$7.75	\$70.75	\$5.00
2010-present	10/1/09 and on	\$496.00	\$5.25	\$105.00	\$7.75	\$70.75	\$5.00

Mr. Kingston: Do you anticipate any changes in AQI user fees during FY 2011 and/or FY 2012?

Response: At this time, we do not anticipate any changes in AQI user fees during FY 2011 or FY 2012. APHIS is currently conducting a thorough review (contracted through Grant Thornton, LLC) of the AQI user fee program to ensure that the fees are based on an accurate assessment of program costs and are administered in proportion to industry and international traveler

use. Work on this review began in November 2010 and is expected to be completed in October 2011. APHIS will make a determination about whether and how to adjust AQI user fee rates after the program review is complete. APHIS will make any changes to the user fee rates through the rulemaking process. Because of the time required to publish a proposed and final rule with fee changes in the *Federal Register*, including time to allow for a public comment period, it is unlikely that we would be able to promulgate a final rule changing AQI fees in FY 2012.

Mr. Kingston: Please provide the Committee an update on the status of the Agency's work with Customs and Border Protection, including the efforts to review cargo data and entry documents. What percentage of the entries is reviewed for clearance and what percentage of entries, specify percentage for those entries with permits as well as animals, is physically inspected?

Response: The Department of Homeland Security (DHS), Customs and Border Protection (CBP) conduct reviews and inspections of cargo entering the United States. APHIS establishes import regulations and inspection policies and works with CBP to provide guidance on inspections, identification of intercepted pests, training for CBP employees, and methods development support, among other things. Agricultural entry requirements and risk factors are built into CBP's Automated Targeting System (ATS). The ATS reviews all cargo entries electronically and gives shipments a numerical score based on criteria set by CBP, APHIS, and other Agencies that have regulatory authority over imports. Some examples of these criteria include the compliance history of the shipper, the origin of the material, and import requirements for the material. If the score meets a certain threshold, the shipment will be flagged for additional review or inspection. CBP also has manifest review units that review entry data manually and monitor the output of the ATS. Additionally, 63 APHIS employees have access to ATS. They use the system to monitor trends in agricultural imports, set priorities for post-import market surveillance, and adjust inspection policy guidance. They may also request that CBP flag certain shipments for inspection. APHIS has also been working with other government agencies and CBP in developing and providing data for CBP's new Automated Commercial Environment (ACE)/International Trade Data System initiative. This system will eventually replace the ATS, and it will enhance import review and tracking abilities for agricultural shipments. For example, ACE will be able to track all permits that APHIS issues and interact with APHIS' ePermits system.

For certain products that carry a greater level of risk and must meet specialized requirements to enter the United States, APHIS requires a permit as a condition of entry. Examples include sugarcane, certain types of lumber, and certain live animals. APHIS issued more than 8,000 import permits for plants and plant products, 3,067 import permits for live animals, and 12,669 import permits for animal products in FY 2010. Additionally, some agricultural shipments require physical inspections. For example, all shipments of plant propagative materials must be inspected, and 100 percent of these shipments are sent to APHIS' Plant Inspection Station (PIS) facilities for inspection. Approximately 27,000 plant shipments were imported through APHIS' PIS facilities in FY 2010. Additionally, APHIS conducted regulatory oversight for the importation of several million animals or animal products. This included more than 35,966 horses, 11.4 million live poultry, 11.9 million hatching eggs, 1.4 million commercial birds, and 4.4 million units of poultry and livestock semen and livestock embryos. With the exception of livestock from Mexico and Canada (which are inspected at the border), all live agricultural animals are imported through APHIS' Animal

Import Centers or private quarantine facilities (with oversight from APHIS) where they are inspected and quarantined (for a period of 3 to 60 days, depending on their origin and species). Each animal must be accompanied by a veterinary health certificate, and each shipment of live animals must have an import permit.

The table below shows the number of cargo clearances and inspections by CBP at ports of entry in FY 2010.

[The information follows:]

FY 2010 Agriculture Quarantine Inspections	
ACTIVITY	TOTAL
Clearances of Nonregulated Cargo	400,559
Clearances of Regulated Cargo	894,954
Inspections of Nonregulated Cargo	265,035
Inspections of Regulated Cargo	466,008
Inspections of Exterior Container	31,671

The Department of Commerce, International Trade Administration reports that total imports of all merchandise (both manufactured and non-manufactured goods) were \$1.912 trillion in FY 2010. More than 55 percent of all imports are computer and electronic products, oil and gas, transportation equipment and chemicals. Of that total, \$42.7 billion was valued as agriculture and livestock products imports, which is 2.2 percent of the total value of imports. Due to the risk based inspections employed at the ports of entry and the variability of the size and types of shipments that are subject to inspection, the percentage inspected varies within any given time frame.

#### NATIONAL EXPORT INITIATIVE

Mr. Kingston: What is APHIS' involvement with the National Export Initiative?

Response: APHIS supports exports through ongoing activities that safeguard U.S. agricultural and natural resources from pests and diseases and through working directly with U.S. trading partners. APHIS negotiates trade-enhancing protocols for agricultural products with trading partners based on the World Trade Organization's Sanitary and Phytosanitary (SPS) standards. APHIS officials also inspect and certify specific export shipments as required by our trading partners, follow up to resolve technical or scientific issues if a country refuses entry to export shipments, report on U.S. pest or disease prevalence and mitigation/eradication efforts, and help other countries build capacity to fairly protect their own agricultural resources and to follow internationally accepted science in regulating their own imports.

APHIS protects U.S. agricultural resources through a variety of safeguarding measures, including regulating imports through a managed-risk approach and

conducting ongoing surveillance and control programs for significant pests and diseases. APHIS' safeguarding work is essential to exports because a new pest or disease incursion can quickly and dramatically affect key markets for U.S. exports. Two billion dollars in beef exports were lost from 2004 through 2009 because of one find of a BSE infected cow in late 2003. Without a certification program for wheat, the presence of Karnal bunt in the southwestern United States would have cost the United States \$5.3 billion in lost income from 2003 to 2007. As a world leader in agricultural trade and SPS issues, the way APHIS conducts its business affects the way other countries conduct theirs. When exotic Newcastle disease was detected in California in October 2002, USDA worked with trading partners to regionalize the affected area so poultry exports could continue from the rest of the country. Our recognition of regionalized risks in other countries facilitated exports from the United States by encouraging their regionalization of our disease outbreaks.

APHIS also supports exports through pursuing sensible, science-based, international standards that benefit everyone, including the United States. APHIS recently agreed upon international standards for wood packaging material harmonized global import rules, avoiding a confusing and costly situation for exporters that stabilized billions of dollars of global trade. Additionally, APHIS issues phytosanitary and veterinary health certificates for export shipments when required by the importing country. APHIS is working to enhance export certification services through improving and expanding the use of electronic systems to more accurately and quickly certify that shipments meet trading partners' requirements.

In FY 2010, APHIS resolved 108 trade-related issues, including accomplishments in opening new markets and retaining and expanding existing market access for U.S. agricultural products valued at \$2.4 billion. In addition, APHIS attachés posted overseas successfully obtained the release of nearly 300 shipments worth more than \$48 million that were held up in foreign ports.

#### TRADE BARRIERS

Mr. Kingston: Some sanitary/phytosanitary trade barriers hinder U.S. agricultural exports and strain relations with major trading partners. What can APHIS do to help overcome these trade barriers? Please provide examples.

Response: USDA and APHIS successfully resolve trade barriers related to animal and plant health concerns, participate in the development of international standards, and promote the understanding of sanitary and phytosanitary (SPS) principles at home and abroad. For APHIS, an SPS issue arises when animal or plant health concerns potentially limit the movement of a commodity in international trade. In such instances, APHIS scientists and technical staff enter into discussions with their foreign counterparts on the scientifically identified risks related to the movement of the product. APHIS continually exchanges technical information with trade partners to address the health concerns of the countries involved thereby enabling trade to take place. In addition, APHIS attachés posted overseas play an active role by resolving urgent problems involving U.S. shipments detained at foreign ports of entry. The exchange of technical and scientific information can often convince an importing country that the risk associated with imported products is less than had been perceived or can be safely addressed through certain risk mitigation measures.

In FY 2010, APHIS resolved 108 trade-related issues involving agricultural exports, allowing trade worth more than \$2.4 billion to occur. These export accomplishments included opening new markets for U.S. products, retaining key markets around the world for U.S. exports, and expanding market opportunities for existing exports.

Markets opened include:

- Soybean oil to China, worth \$340 million;
- Milk and milk products to Albania, worth \$5 million;
- Swine to Canada, worth \$5 million; and
- Pet food to Israel, worth \$2 million

Markets retained include:

- Grain to Mexico and Honduras, worth \$586 million;
- U.S. pork products to China, worth \$400 million;
- Pork to Russia, worth \$330 million; and

Markets expanded include:

- Sheep and goats to the Philippines, worth \$41.5 million;
- Peaches and nectarines to Mexico, worth \$10 million; and
- Grapefruit to Japan, worth \$10 million

In addition, APHIS attachés facilitated more than 300 shipments of agricultural products worth more than \$44 million in FY 2010. Individual shipments of U.S. commodities can be detained in foreign ports of entry for a number of reasons. In many cases, the importing country's authorities have a question about a phytosanitary or veterinary certificate. APHIS works with its counterparts in other countries to ensure their regulations are properly interpreted. Without APHIS intervention, the shipments would have been returned, destroyed or re-exported to another market. Countries where APHIS attachés were able to have shipments released include the Philippines, Mexico, Israel, Taiwan, China, Indonesia, Italy, Japan, Germany, Russia, Turkey, Morocco, and the United Arab Emirates.

In addition, APHIS actively participated in the development of international animal and plant health standards that are relevant for international trade in agricultural products. The World Organization for Animal Health (OIE) has a membership of more than 166 member countries and produces animal health standards for trade. While the OIE had traditionally focused on diseases of livestock and setting diagnostic standards, it has begun to address disease risks associated with wildlife and animal aquatic species. In FY 2010, the OIE adopted 9 new or revised international standards, including edits to chapters on Avian Influenza, clarifications to chapters on Bovine spongiform encephalopathy (BSE) and Anthrax, and proposed changes to the chapters on Bovine Tuberculosis and Aujeszky's disease. The International Plant Protection Convention (IPPC) produces plant health standards. These organizations are recognized under the World Trade Organization SPS Agreement as the relevant international standard setting bodies for animal and plant health. The IPPC adopted 5 new and revised standards in FY 2010, including a new one on pest free potato micropropagative material and minitubers for international trade and another on design and operation of post-entry quarantine stations for plants.

## INDEMNITY FUNDING

Mr. Kingston: Were any indemnity funds used in FY 2009, 2010 or to date in FY 2011?

Response: The information is submitted for the record.

[The information follows:]

## APHIS INDEMNITY OBLIGATIONS

Program	FY 2009	FY 2010	FY 2011
Plum Pox	\$18,605	0	0
Brucellosis	259,918	\$325,282	\$7,727
Chronic Wasting Disease	0	638,979	0
Low Pathogen Avian Influenza	241,785	0	0
Pseudorabies	14,441	390	0
Scrapie	432,645	142,598	23,425
Tuberculosis	24,741,879	14,694,181	228,142
Total	\$25,709,273	\$15,801,430	\$259,294

## CATTLE TICK PROGRAM

Mr. Kingston: Please update the Committee on the cattle tick infestation in Texas.

Response: The Cattle Fever Tick Eradication Program (CFTEP) is a cooperative program between APHIS and the Texas Animal Health Commission (TAHC). The TAHC provides support personnel and conducts surveillance in the tick-free areas of Texas. APHIS leads the program and maintains the permanent quarantine zone through surveillance and tick control activities. APHIS' mounted inspectors patrol designated sections to intercept tick-carrying wildlife, as well as stray and smuggled Mexican-origin livestock. Intercepted animals must be quarantined, inspected, and treated. From FY 1990 to 2010, approximately 48 percent of intercepted cattle were infested with fever ticks.

APHIS, in collaboration with TAHC, continues to make progress in reducing infestations outside the quarantine zone. These efforts began after tick outbreaks occurred in FY 2008 - 2009. In FY 2010, the number of tick outbreaks decreased by 38 percent in the permanent quarantine and free areas of south Texas compared to the previous year. In FY 2010, 90 new fever tick-infested premises were identified compared to 146 in FY 2009. During FY 2010, APHIS horseback patrols along the U.S.-Mexico border apprehended a total of 44 Mexican cattle, representing a 67 percent decrease from 133 apprehended during FY 2009. Of the 44 cattle apprehended, 28 were infested with fever ticks. Two of the 13 apprehended equines were also infested. In addition to river patrols, APHIS inspectors conduct voluntary inspections of private cattle herds by request, and conduct surveillance for potentially tick-infested livestock at selected south Texas livestock sale barns. At the same time, APHIS conducts tick inspections of deer hides and carcasses during the hunting season to help prevent the movement of tick-infested material to other parts of Texas and the United States.

Historically, the CFTEP has relied on the process of dipping livestock in a pesticide that is 100 percent effective in killing fever ticks. More recently, and due to the potential for pesticide resistance developing in tick populations, the CFTEP is exploring the use of additional proactive treatment measures. These measures include the installation of game fencing along critical areas of the permanent quarantine line to prevent the unrestricted movement of native and exotic wildlife, the use of deer treatment devices developed by USDA's Agricultural Research Service, evaluating medicated feed supplements to treat tick-infested cattle, and working with Texas to evaluate an anti-tick vaccine. APHIS recently initiated the development of an environmental impact statement to address possible concerns associated with the construction of game fencing.

#### WILDLIFE SERVICES

Mr. Kingston: Your agency has cooperative agreements with all states related to wildlife services operations control work. Provide a list of the amounts of cost-share provided by each state and the federal share spent for fiscal years 2009 and 2010.

Response: The following table contains the amount of Federal appropriated funds provided to States and State cooperator funds contributed in FY 2009 and 2010.

[The information follows:]

FISCAL YEAR 2009 WILDLIFE SERVICES FEDERAL AND COOPERATIVE FUNDING			
State	Federal	Cooperative	Total
Alabama	\$1,474,712	\$245,550	\$1,720,262
Alaska	338,667	542,887	881,554
Arizona	1,171,812	550,588	1,722,400
Arkansas	392,087	365,856	757,943
California	2,020,171	3,906,270	5,926,441
Colorado	1,078,896	1,529,225	2,608,121
Connecticut	20,000	5,831	25,831
Delaware	20,000	2,280	22,280
Florida	992,085	943,322	1,935,407
Georgia	784,768	203,216	987,984
Guam	265,715	0	265,715
Hawaii	969,464	2,840,518	3,809,982
Idaho*	1,987,677	623,477	2,611,154
Illinois	319,455	1,191,182	1,510,637
Indiana	252,614	385,500	638,114
Iowa	83,045	132,199	215,244
Kansas	363,588	475,441	839,029
Kentucky	461,722	288,552	750,274
Louisiana	658,175	152,199	810,374
Maine	512,967	370,505	883,472

FISCAL YEAR 2009 WILDLIFE SERVICES FEDERAL AND COOPERATIVE FUNDING			
State	Federal	Cooperative	Total
Maryland	577,985	299,742	877,727
Massachusetts	545,566	438,304	983,870
Michigan	923,601	253,195	1,176,796
Minnesota	644,155	474,978	1,119,133
Mississippi	1,170,691	665,888	1,836,579
Missouri	622,927	333,553	956,480
Montana	2,113,301	793,279	2,906,580
Nebraska	568,202	1,017,182	1,585,384
Nevada	1,560,975	483,155	2,044,130
New Hampshire	613,896	202,940	816,836
New Jersey	351,529	373,184	724,713
New Mexico	1,707,836	921,298	2,629,134
New York	2,648,126	1,442,107	4,090,233
North Carolina	891,498	1,683,773	2,575,271
North Dakota	1,205,388	583,371	1,788,759
Ohio	2,372,034	413,962	2,785,996
Oklahoma	1,116,241	1,281,353	2,397,594
Oregon	1,293,638	2,001,747	3,295,385
Pennsylvania	2,043,113	1,239,584	3,282,697
Puerto Rico	28,875	135,300	164,175
Rhode Island	10,000	0	10,000
South Carolina	351,209	782,196	1,133,405
South Dakota	333,755	26,213	359,968
Tennessee	1,642,056	438,571	2,080,627
Texas	7,173,083	1,338,256	8,511,339
Utah	1,441,161	191,240	1,632,401
Vermont	1,263,496	130,640	1,394,136
Virginia	1,238,403	959,074	2,197,477
Washington	684,707	2,008,008	2,692,715
West Virginia	2,456,258	316,373	2,772,631
Wisconsin	1,169,637	1,353,771	2,523,408
Wyoming	2,124,836	2,456,876	4,581,712
Totals	\$57,055,798	\$39,787,714	\$96,843,512

FISCAL YEAR 2010 WILDLIFE SERVICES FEDERAL AND COOPERATIVE FUNDING			
State	Federal	Cooperative	Total
Alabama	\$1,257,703	\$358,524	\$1,616,227
Alaska	996,290	533,827	1,530,117
Arizona	1,162,094	527,164	1,689,258



FISCAL YEAR 2010 WILDLIFE SERVICES FEDERAL AND COOPERATIVE FUNDING			
State	Federal	Cooperative	Total
Arkansas	391,765	322,500	714,265
California	1,949,106	4,196,063	6,145,169
Colorado	1,063,988	2,892,659	3,956,647
Connecticut	20,000	72,289	92,289
Delaware	20,000	3,822	23,822
Florida	973,639	833,858	1,807,497
Georgia	958,267	303,299	1,261,566
Guam	447,626	0	447,626
Hawaii	1,315,560	2,632,142	3,947,702
Idaho*	1,953,710	611,575	2,565,285
Illinois	307,130	1,381,973	1,689,103
Indiana	231,661	295,630	527,291
Iowa	20,266	138,493	158,759
Kansas	373,217	471,903	845,120
Kentucky	412,498	282,386	694,884
Louisiana	642,991	192,199	835,190
Maine	577,659	340,970	918,629
Maryland	576,011	267,222	843,233
Massachusetts	515,437	430,981	946,418
Michigan	1,075,263	110,088	1,185,351
Minnesota	704,796	572,250	1,277,046
Mississippi	1,277,710	794,428	2,072,138
Missouri	587,466	308,101	895,567
Montana	2,113,301	990,379	3,103,680
Nebraska	564,101	987,359	1,551,460
Nevada	1,530,024	647,486	2,177,510
New Hampshire	599,994	273,561	873,555
New Jersey	341,059	656,672	997,731
New Mexico	1,687,222	1,007,924	2,695,146
New York	2,037,207	1,592,938	3,630,145
North Carolina	922,068	2,036,227	2,958,295
North Dakota	1,192,684	718,004	1,910,688
Ohio	2,199,269	382,706	2,581,975
Oklahoma	1,127,224	1,440,330	2,567,554
Oregon	1,284,323	2,181,998	3,466,321
Pennsylvania	1,735,926	1,382,639	3,118,565
Puerto Rico	38,871	91,842	130,713
South Carolina	313,074	919,634	1,232,708
South Dakota	589,451	30,377	619,828

FISCAL YEAR 2010 WILDLIFE SERVICES FEDERAL AND COOPERATIVE FUNDING			
State	Federal	Cooperative	Total
Tennessee	1,631,790	525,062	2,156,852
Texas	7,367,125	1,340,569	8,707,694
Utah	1,439,655	186,224	1,625,879
Vermont	1,150,692	219,320	1,370,012
Virginia	1,141,092	1,247,358	2,388,450
Washington	630,308	2,122,990	2,753,298
West Virginia	2,501,943	360,132	2,862,075
Wisconsin	1,142,280	1,530,577	2,672,857
Wyoming	2,025,877	2,150,087	4,175,964
Totals	\$56,670,787	\$44,344,367	\$101,015,154

\*The Idaho obligations include the Wildlife Services' Pocatello warehouse that produces products that Wildlife Services' consumes in their activities that are not commercially available. These products are used throughout many States in the predator control program. Wildlife Services' does not track the value of these consumed products by the State in which they are used.

It is important to note that Wildlife Services' performs work in cooperation with States. These tables represent the funding that Wildlife Services' obligated in each State and the amount that each State contributed toward the services we provided.

#### ANIMAL DAMAGE CONTROL RESEARCH

Mr. Kingston: Provide the Committee with a table showing the amount spent on animal damage control research, including the amount allocated to non-lethal methods development, to include fiscal years 2009 through 2010.

Response: The information is submitted for the record.

[The information follows:]

EXPENDITURES FOR ANIMAL CONTROL RESEARCH			
Fiscal Year	Total Funding	Total Non-lethal	Percent Non-Lethal
1997	\$10,591,000	\$7,248,000	68%
1998	10,121,032	7,672,000	76%
1999	10,365,000	7,827,000	75%
2000	10,357,000	7,767,750	75%
2001	11,000,745	8,250,559	75%
2002	12,955,000	9,716,250	75%
2003	14,875,000	11,156,250	75%
2004	16,999,000	12,749,250	75%
2005	17,289,000	12,966,750	75%
2006	17,216,000	12,912,000	75%
2007	16,640,285	12,480,214	75%
2008	18,018,800	13,514,100	75%
2009	17,788,913	13,341,685	75%

EXPENDITURES FOR ANIMAL CONTROL RESEARCH			
Fiscal Year	Total Funding	Total Non-lethal	Percent Non-Lethal
2010	18,271,441	13,703,581	75%

## ENDANGERED SPECIES ACTIVITIES

Mr. Kingston: Provide a table that shows, by state, the amount that is spent on protection of threatened and endangered species activities for FY 2009 and 2010.

Response: The information is submitted for the record.

[The information follows:]

## FUNDING SPENT ON ENDANGERED SPECIES ACTIVITIES

STATE	FY 2009	FY 2010
Alaska	\$36,800	\$42,584
Alabama	5,550	4,050
Arizona	72,612	107,131
California	1,382,370	1,183,309
Colorado	4,380	4,600
Connecticut	5,000	5,000
Florida	1,057,771	869,342
Georgia	20,389	53,712
Hawaii	294,645	296,820
Idaho	387,908	123,849
Illinois	37,777	30,500
Indiana	23,200	26,200
Louisiana	53,000	30,856
Massachusetts	14,200	36,650
Maine	29,136	41,645
Michigan	121,257	138,220
Minnesota	490,000	468,000
Mississippi	100,000	200,000
Montana	439,024	466,756
North Carolina	22,000	5,000
Nebraska	55,000	70,000
New Hampshire	10,370	10,370
New Jersey	34,079	13,044
New Mexico	96,000	58,817
New York	2,212	2,906
Oregon	124,800	186,121
Pennsylvania	1,050	1,050
Rhode Island	0	6,000
Tennessee	0	3,200
Texas	37,380	76,437
Utah	30,000	39,100
Vermont	6,200	6,755
Virginia	136,778	108,468
Washington	3,326,287	1,201,475

STATE	FY 2009	FY 2010
Wisconsin	299,590	304,794
Wyoming	211,382	219,812
Cuba	12,000	12,000
Guam	766,000	666,000
U.S. Virgin Islands	0	51,380
Total	\$9,746,147	\$7,171,953

## KARNAL BUNT

Mr. Kingston: What do you plan to spend on Karnal Bunt in fiscal year 2011 and FY 2012 compared with the FY 2010?

Response: In FY 2010, we spent approximately \$1.7 million on karnal bunt activities to facilitate the movement of wheat into domestic and international markets. Assuming a year-long continuing resolution, we anticipate spending approximately the same amount this year as in FY 2010. For FY 2012, we are requesting \$1.071 million for this program.

## NATIONAL ANIMAL HEALTH MONITORING SYSTEM

Mr. Kingston: Provide a table showing the annual cost and the FTEs assigned for each year to the National Animal Health Monitoring System Program from fiscal year 2009 and 2010 and estimated for fiscal years 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

APHIS NATIONAL ANIMAL HEALTH MONITORING SYSTEM PROGRAM ANNUAL COSTS (Dollars in Thousands)		
Fiscal Year	FTEs	Annual Costs
2009	26	\$4,650
2010	29	4,100
2011	34	5,200
2012	34	4,830

## PEST AND DISEASE OUTBREAKS

Mr. Kingston: Describe what has happened during the past year in terms of serious outbreaks of pests and diseases. What resources did you expend on each?

Response: During FY 2010, APHIS spent approximately \$3 million in contingency funds and \$4 million in funding transferred from the Commodity

Credit Corporation as directed by, the 2008 Farm Bill for pest and disease management, to address an outbreak in California of the European Grapevine Moth (EGVM). The EGVM is a significant pest of grapes and other specialty crops that damages grapes when larvae feed on the flowers and berries; subsequent fungal infection causes further damage. High population densities of EGVM can destroy entire vineyards, resulting in a total loss of grapes at harvest. Grapes, including wine grapes, table grapes and raisins, rank second among all crops produced in California, generating 10 percent of the State's \$31.4 billion in farm sales.

APHIS, the California Department of Food and Agriculture, California county officials, and industry groups initiated a cooperative effort consisting of: intensive survey efforts to identify affected areas; regulatory compliance activities to prevent the artificial spread of the pest; and an outreach program to reach industry groups, affected growers, and residents. Affected growers conduct suppression activities in their fields, with APHIS providing technical assistance and scientific support. Initial efforts reduced detections of moths in affected areas from 66,000 in April 2010 to just 20 moths in August 2010. Currently, surveys are underway and the results will show how effective the 2010 treatments were and will help determine what actions will be necessary in FY 2011.

EGVM spreads slowly through natural means, but because grape growers are accustomed to shipping their products throughout the State and the rest of the country based on marketing opportunities and costs, preventing human-assisted spread of the pest is a critical component of the program. Accordingly, artificial spread through regulatory violations is the main challenge in preventing the pest from affecting new areas. Federal, State, or county officials must inspect all shipments of EGVM host products (grapes and a variety of other fruits) leaving quarantined areas. APHIS estimates that between 7,500 and 10,000 regulatory inspections were conducted during the 2010 harvest season.

APHIS is requesting a total of \$2.5 million for the EGVM cooperative effort to continue conducting these regulatory activities in FY 2012. These activities are currently being conducted with \$16.9 million in emergency funding transferred from the CCC in FY 2011.

#### EMERGENCY TRANSFERS

Mr. Kingston: How was your emergency authority used in fiscal years 2009 and 2010? How much did you use for each incidence and was it all transferred from CCC?

Response: All emergency transfers were from the Commodity Credit Corporation (CCC). Amounts available and used for each incident are submitted for the record.

[The information follows:]

## FY 2009 COMMODITY CREDIT CORPORATION FUNDING

Program	CCC Carryover into FY 2009	FY 2009 CCC Releases/ Redirections	FY 2009 Account Recoveries	FY 2009 Obligations	Authority Carried Over into FY 2010
Asian Longhorned Beetle	\$165,719	\$24,533,022	\$616,362	\$23,967,370	\$1,347,733
Avian Influenza	6,703,805	0	55,697	401,586	6,357,916
Bovine Spongiform Encephalopathy	2,450,089	0	568,357	0	3,018,446
Bovine Tuberculosis	14,847,141	0	1,268,488	8,215,372	7,900,257
Cattle Fever Tick	1,150,670	4,894,294	1,076	4,768,324	1,277,716
Chronic Wasting Disease	3,852,990	0	0	0	3,852,990
Classical Swine Fever	24,887	0	0	0	24,887
Citrus Canker	27,926	0	1,428	29,354	0
Emerald Ash Borer	2,264,745	0	1,073,400	3,313,117	25,028
Exotic Newcastle Disease	2,197,425	0	69,749	24,870	2,242,304
Glassy-winged Sharpshooter/ Pierce's Disease	396	0	251,519	251,519	396
Infectious Salmon Anemia	942,626	0	66,951	30,388	979,189
Karnal Bunt	210,186	0	0	0	210,186
Light Brown Apple Moth	43,528,997	0	3,556,232	26,210,188	20,875,041
Mediterranean Fruit Fly	458,110	0	83,879	187,609	354,380
Mexican Fruit Fly	78,214	0	65,523	143,175	562
Mormon Cricket	450,000	0	1,452,951	1,640,927	262,024
National Animal Identification System	730,670	0	1,314,232	783,133	1,261,769
Plum Pox	2,840	0	0	0	2,840
Potato Cyst Nematode	1,537,300	0	763,845	2,080,379	220,766
Pseudorabies	2,931,705	0	0	0	2,931,705
Scrapie	2,498,235	0	0	0	2,498,235
Spring Viremia of Carp	2,878,859	0	0	0	2,878,859

Program	CCC Carryover into FY 2009	FY 2009 CCC Releases/ Redirections	FY 2009 Account Recoveries	FY 2009 Obligations	Authority Carried Over into FY 2010
Sudden Oak Death	1,354	0	0	0	1,354
Vermont Sheep	92,886	0	14,798	0	107,684
<b>TOTAL</b>	<b>\$90,027,775</b>	<b>\$29,427,316</b>	<b>\$11,224,487</b>	<b>\$72,047,311</b>	<b>\$58,632,267</b>

## FY 2010 COMMODITY CREDIT CORPORATION FUNDING

Program	CCC Carryover into FY 2010	FY 2010 CCC Releases/ Redirections	FY 2010 Account Recoveries	FY 2010 Obligations	Authority Carried Over into FY 2011
Asian Longhorned Beetle	\$1,347,733	\$41,451,000	\$18,445	\$24,808,723	\$18,008,455
Avian Influenza	6,357,916	-2,500,000	-424	0	3,857,492
Bovine Spongiform Encephalopathy	3,018,446	-3,018,446	0	0	0
Bovine Tuberculosis	7,900,257	0	202,379	2,461,714	5,640,922
Cattle Fever Tick	1,277,716	0	240,493	751,445	766,764
Chronic Wasting Disease	3,852,990	0	0	0	3,852,990
Classical Swine Fever	24,887	0	0	0	24,887
Emerald Ash Borer	25,028	0	75,467	0	100,495
Exotic Newcastle Disease	2,242,304	-2,242,304	0	0	0
Glassy-winged Sharpshooter/ Pierce's Disease	396	0	0	0	396
Grasshopper	0	10,734,765	0	4,206,862	6,527,903
Infectious Salmon Anemia	979,189	0	0	0	979,189
Karnal Bunt	210,186	0	0	0	210,186
Light Brown Apple Moth	20,875,041	0	4,204,967	22,068,137	3,011,871
Mediterranean Fruit Fly	354,380	0	0	242,874	111,506
Mexican Fruit Fly	562	0	759	0	1,321
Mormon Cricket	262,024	0	5,126	0	267,150
National Animal Identification System	1,261,769	0	0	0	1,261,769

Program	CCC Carryover into FY 2010	FY 2010 CCC Releases/ Redirections	FY 2010 Account Recoveries	FY 2010 Obligations	Authority Carried Over into FY 2011
Plum Pox	2,840	0	0	0	2,840
Potato Cyst Nematode	220,766	0	145,808	138,422	228,152
Pseudorabies	2,931,705	-2,931,705	0	0	0
Scrapie	2,498,235	-2,498,235	0	0	0
Spring Viremia of Carp	2,878,859	-2,878,859	385,836	0	385,836
Sudden Oak Death	1,354	0	7,338	0	8,692
Vermont Sheep	107,684	0		0	107,684
<b>TOTAL</b>	<b>\$58,632,267</b>	<b>\$36,116,216*</b>	<b>\$5,286,194</b>	<b>\$54,678,177</b>	<b>\$45,356,500</b>

\* Of the total redirected funding, \$13.569 million was redirected to Asian long-horn beetle and \$2.5 million was redirected to Grasshopper from existing CCC balances.

Mr. Kingston: Has the agency requested any funds from the Commodity Credit Corporation for emergency purposes in fiscal year 2011? If so, for what programs? What was the amount of the request? Have the funds been apportioned?

Response: As of March 10, 2011, APHIS has received Commodity Credit Corporation (CCC) funds for one emergency program in FY 2011. The approved transfer has been apportioned to the Agency. The emergency program and transfer amount is shown below.

[The information follows:]

ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
COMMODITY CREDIT CORPORATION TRANSFERS  
Fiscal Year 2011  
As of March 10, 2011

Emergency Program	Apportioned Amount
European Grapevine Moth	\$16,922,324
<b>TOTAL*</b>	<b>\$16,922,324</b>

\* Of this total, \$6 million was redirected from existing CCC balances.

Mr. Kingston: Please provide a table that shows a breakout of the number of emergencies that occurred, as well as the amount of both agency and CCC funds that were used to combat the emergency to include fiscal years 2007 through 2010 and fiscal year 2011 estimates. Please include a total column.



Response: The information is submitted for the record.

[The information follows:]

ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
EMERGENCY PROGRAM FUNDING  
(Dollars in Thousands)

Fiscal Year	Emergency	Agency Fund*	CCC Funds	Total
2007	Asian Gypsy Moth	\$884	--	
	Cattle Fever Tick	8,165	--	
	Contagious Equine Metritis	160	--	
	Emerald Ash Borer	8,918	\$13,693	
	European Gypsy Moth	5,358	--	
	Infectious Salmon Anemia	--	337	
	Light Brown Apple Moth	--	12,019	
	Potato Cyst Nematode	--	11,066	
	Rabies	23,863	--	
	Tuberculosis	14,897	4,902	
	Viral Hemorrhagic Septicemia	945	--	\$105,207
2008	Asian Gypsy Moth	\$151	--	
	Cattle Fever Tick	7,982	\$5,233	
	Contagious Equine Metritis	86	--	
	European Gypsy Moth	152	--	
	Light Brown Apple Moth	993	74,539	
	Malignant Catarrhal Fever	383	--	
	Rabies	24,343	--	
	Tuberculosis	15,289	22,928	\$152,079
2009	Asian Longhorned Beetle	\$19,918	\$24,533	
	Cattle Fever Tick	9,907	4,894	
	Contagious Equine Metritis	913	--	\$60,165
2010	Asian Longhorned Beetle	\$33,021	\$41,451	
	Contagious Equine Metritis	144	--	
	European Grapevine Moth	3,100	--	
	Grasshopper	5,578	10,735	\$94,029
2011	European Grapevine Moth	--	\$16,922	\$16,922

\*This represents funding received from annual appropriations, some or all of which was used for emergencies.

INTERNATIONAL PROGRAM

Mr. Kingston: Through your international program, APHIS maintains a presence in countries that are significant agricultural trading partners. For the record, please provide a list of all countries where APHIS has personnel, the number of employees in that country and a brief description of the work conducted in that country. Were any countries added or deleted in fiscal year 2009, 2010 or planned for FY 2011?

Response: APHIS' overseas officials support the Agency's pest and disease exclusion efforts through various activities. For example, they play a vital role in resolving sanitary and phytosanitary (SPS) issues, including negotiating new markets and retaining existing markets. APHIS' presence overseas is often critical in resolving problems with shipments that are

delayed due to agricultural health or documentation concerns. Overseas officials also provide expertise to our foreign counterparts on animal and plant health issues. APHIS officials operate preclearance programs in approximately 20 countries to ensure that products destined for the United States are inspected before departure and meet U.S. entry requirements. These officials also cooperate with their foreign counterparts to keep abreast of plant and animal health issues in the region. The information they collect helps dictate import and inspection policies, validate risk assessments, and identify pests and diseases to target for surveillance.

In addition, our officials help developing countries strengthen their regulatory infrastructures and enhance their pest and disease control programs. These activities help domestic producers access export markets while protecting U.S. agricultural health.

Agency officials also work with international organizations such as the World Organization for Animal Health (OIE) to develop science-based standards for international trade and conduct projects to improve regulatory infrastructures in other countries. APHIS works with foreign governments to control the Mediterranean fruit fly in Mexico, Belize, and Guatemala; maintain a barrier in Panama against the northward movement of the screwworm; support foot-and-mouth disease control in South America; eradicate classical swine fever in Haiti and the Dominican Republic; and monitor for highly pathogenic avian influenza (HPAI) in Southeast Asia. These activities control the pests and diseases at their source and prevent them from spreading to the United States through natural means or trade.

In FY 2010, APHIS is closing its office in Australia. APHIS reduced staffing at its Screwworm facility in Mexico in FY 2010, when the new facility in Panama (closer to the barrier maintained with the release of sterile flies) was fully operational.

The following table provides a list of all countries where APHIS has staff years and the number in each. Appropriations, user fees, and trust funds fund these personnel, which account for the differences from those stated in the President's FY 2012 Budget.

[The information follows:]

Region	Country	FY 2009	FY 2010	FY 2011
Africa	Senegal	3	3	3
	South Africa	2	4	3
Asia/Pacific	Australia	1	0	0
	Burma	1	1	1
	Cambodia	2	2	2
	China	2	2	2
	India	2	2	2
	Indonesia	5	5	5
	Japan	2	2	2
	Laos	2	2	2
	Philippines	1	1	1
	South Korea	4	3	3
	Taiwan	2	2	2

Region	Country	FY 2009	FY 2010	FY 2011
	Thailand	3	3	3
	Other	2	3	3
Caribbean	Dominican Republic	7	6	6
	Haiti	2	2	2
	Jamaica	3	3	3
	Trinidad	1	1	1
Central America	Belize	1	1	1
	Costa Rica	2	2	2
	Guatemala	18	20	20
	Nicaragua	1	2	2
	Panama	12	12	12
	Other	1	1	1
Europe/Near East	Austria	2	2	2
	Belgium	2	2	2
	Egypt	2	2	2
	France	2	1	1
	Italy	1	2	2
	Other	3	3	3
North America	Canada	3	3	3
	Mexico	77	71	71
South America	Argentina	4	4	4
	Bolivia	1	1	1
	Brazil	9	9	9
	Chile	7	7	7
	Colombia	8	8	8
	Ecuador	1	1	1
	Venezuela	1	1	1
Total		205	202	201

## APHIS PROGRAM

Mr. Kingston: Please provide a table showing a breakout of all Federal and non-Federal dollars for all APHIS programs to include fiscal year 2009 and 2010.

Response: The information is submitted for the record.

[The information follows:]

FEDERAL AND NON-FEDERAL FUNDING FOR APHIS PROGRAMS (Dollars in Thousands)				
Line-item	FY 2009 Federal*	FY 2009 Non- Federal	FY 2010 Federal*	FY 2010 Non- Federal
AQI: Appropriated	\$ 29,967	0	\$ 28,948	0
Cattle Ticks	9,906	0	13,149	0
FMD/Emerging Foreign Animal Diseases	4,000	\$14,773	3,994	\$16,076
Fruit Fly Exclusion and Detection	66,788	22,597	69,827	24,201
Import/Export	12,962	0	13,281	0
Overseas Technical and Trade Operations	0	0	16,162	0
Screwworm	27,802	3,580	31,154	3,000
Tropical Bont Tick	408	0	417	0
<b>SUBTOTAL, Pest and Disease Exclusion</b>	<b>\$151,833</b>	<b>\$40,950</b>	<b>\$176,932</b>	<b>\$43,277</b>
Animal Health Monitoring and Surveillance	\$133,753	\$2,062	\$129,359	\$7,706
Animal and Plant Regulatory Enforcement	13,654	0	15,445	0
Avian Influenza	63,772	1,427	59,072	227
Emergency Management System	14,950	713	15,683	535
National Veterinary Stockpile	2,687	0	5,365	0
Pest Detection	27,643	7,897	28,071	9,762
Select Agents	5,127	0	5,163	0
<b>SUBTOTAL, Plant and Animal Health Monitoring</b>	<b>\$261,586</b>	<b>\$12,099</b>	<b>\$258,158</b>	<b>\$18,230</b>
Aquaculture	\$5,817	\$40	\$6,550	\$172
Biological Control	9,729	874	10,428	922
Brucellosis	9,583	28,995	9,689	21,552
Chronic Wasting Disease	17,013	2,301	16,857	1,541
Contingency Funds	761	0	3,206	0
Cotton Pests	28,741	27,633	23,238	29,088
Emerging Plant Pests	141,833	13,954	166,642	14,868
Golden Nematode	811	20	824	20
Grasshopper	5,476	20	9,926	9
Gypsy Moth	4,824	693	5,397	708
Imported Fire Ant	1,888	1,158	1,897	240
Johne's Disease	6,821	1,309	6,869	1,032
Noxious Weeds	1,991	207	1,982	322
Plum Pox	1,970	0	2,534	171
Pseudorabies	2,424	213	2,500	38
Scrapie	16,692	110	17,303	25
Tuberculosis	15,647	7,852	16,734	6,635
Wildlife Services Operations	77,010	46,800	77,975	40,784
Witchweed	1,509	80	1,513	80
<b>SUBTOTAL, Pest and Disease Management</b>	<b>\$350,540</b>	<b>\$132,259</b>	<b>\$382,064</b>	<b>\$118,207</b>

Animal Welfare	\$21,510	\$174	\$24,445	\$44
Horse Protection	499	0	498	0
SUBTOTAL, Animal Care	\$22,009	\$174	\$24,943	\$44
Biotechnology Regulatory Services	\$12,877	0	\$13,014	0
Environmental Compliance	2,669	0	2,710	0
Plant Methods Development				
Laboratories	9,703	\$34	9,922	\$18
Veterinary Biologics	16,894	0	17,297	0
Veterinary Diagnostics	23,583	0	26,052	0
Wildlife Services Methods				
Development	18,234	1,220	18,839	2,324
SUBTOTAL, Scientific and Technical Services	\$83,960	\$1,254	\$87,834	\$2,342
APHIS Information Technology				
Infrastructure	\$4,703	0	\$4,414	0
Physical/Operational Security	5,716	0	5,669	0
Commodity Credit Corporation	72,047	\$556	54,678	\$698
Advances and Reimbursements	109,223	0	138,470	0
Farm Bill Section 10201 and 10202	15,333	497	51,152	5,352
H1N1 from Health and Human Services	0	0	3,909	0
VHS Supplemental	0	0	4,889	0
Trust Funds	17,789	0	18,649	0
SUBTOTAL	\$224,811	\$1,053	\$281,830	\$6,050
TOTAL, Available or Estimate	\$1,094,739	\$187,789	\$1,401,135	\$188,150

\*Represents Federal obligations against available funding.

Mr. Kingston: From what sources are the non-federal dollars in the preceding table?

Response: The information is submitted for the record.

[The information follows:]

NON-FEDERAL FUNDING SOURCES  
(Dollars in Thousands)

Line Item	FY 2009 Non- Federal Funding	FY 2010 Non- Federal Funding	Source(s)
FMD/Foreign Animal Diseases	\$14,773	\$16,076	Colombia, Dominican Republic, Haiti, Mexico, Nicaragua, Panama; Organismo Internacional Regional de Sanidad Agropecuaria, and Producers in Dominican Republic
Fruit Fly Exclusion and Detection	22,597	24,201	California Department of Agriculture, Guatemala and Mexico

NON-FEDERAL FUNDING SOURCES  
(Dollars in Thousands)

Line Item	FY 2009 Non- Federal Funding	FY 2010 Non- Federal Funding	Source(s)
Screwworm	3,580	3,000	Mexico and Panama
SUBTOTAL, Pest and Disease Exclusion	\$40,950	\$43,277	
Animal Health Monitoring and Surveillance	\$2,062	\$7,706	States: Nationwide
Avian Influenza	1,427	227	New Mexico, South Dakota, Vermont
Emergency Management System	713	535	Southwest Cooperative Wildlife Disease Study
Pest Detection	7,897	9,762	States: Nationwide
SUBTOTAL, Plant and Animal Health Monitoring	\$12,099	\$18,230	
Aquaculture	\$40	\$172	39 States and three Tribes based on epidemiologic "connectivity" to the Great Lakes
Biological Control	874	922	Florida, California, Connecticut, Georgia, Hawaii, Maine, Maryland, Massachusetts, Nevada, New Jersey, New York, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, Puerto Rico
Brucellosis	28,995	21,552	States: Nationwide
Chronic Wasting Disease	2,301	1,541	States: Nationwide
Cotton Pests	27,633	29,088	Southeastern and Southwestern States
Emerging Plant Pests	13,954	14,868	Asian Longhorned Beetle: State Agriculture Departments in Illinois, New Jersey, and New York; New York State Department of Environmental Conservation; New York Parks and Recreation; City of Chicago Forestry; Municipal and City Governments of Long Island and the Chicago suburbs; and local community organizations Emerald Ash Borer: Illinois, Indiana, Kentucky, Maryland, Massachusetts, Minnesota, New York, Ohio, Pennsylvania,

NON-FEDERAL FUNDING SOURCES  
(Dollars in Thousands)

Line Item	FY 2009 Non- Federal Funding	FY 2010 Non- Federal Funding	Source(s)
			Virginia, West Virginia and Wisconsin Glassy-winged Sharpshooter: California Department of Agriculture; California nursery, citrus, and grape industries; county and city governments in California; University of California Citrus Canker: Florida Department of Agriculture Sudden Oak Death: California, Oregon, Washington Karnal Bunt: Arizona, California, Kansas, Montana and Oregon Potato Cyst Nematode: Alabama, Arizona, California, Delaware, Idaho, Minnesota, New Jersey, Oregon, Pennsylvania, Virginia and Wisconsin Light Brown Apple Moth: California Department of Food and Agriculture Sirex: California, New Hampshire, Ohio, Pennsylvania and Texas Miscellaneous Pests: California, Connecticut, Florida, Maine, Maryland, Massachusetts, Minnesota, Montana, Nevada, North Carolina, Rhode Island, Virginia, Washington, West Virginia and Wisconsin
Golden Nematode	20	20	New York
Grasshopper	20	9	Colorado, Oregon and Utah
Gypsy Moth	693	708	States west to Washington and south to Georgia
Imported Fire Ant	1,158	240	Alabama, Arizona, California, Delaware, Florida, Georgia, Louisiana, Maryland, Nevada, New Mexico, North Carolina, South Carolina, Tennessee, Utah and Virginia Territory: Guam
Johne's Disease	1,309	1,032	States nationwide

NON-FEDERAL FUNDING SOURCES  
(Dollars in Thousands)

Line Item	FY 2009 Non- Federal Funding	FY 2010 Non- Federal Funding	Source(s)
Noxious Weeds	207	322	Alabama, Arizona, California, Connecticut, Delaware, Hawaii, Indiana, Maryland, North Carolina, Oregon, Pennsylvania, South Carolina, Texas and West Virginia
Plum Pox	0	171	New York and Pennsylvania
Pseudorabies	213	38	States nationwide
Scrapie	110	25	States nationwide
Tuberculosis	7,852	6,635	States nationwide
Wildlife Services Operations	46,800	40,784	States, private land owners, Department of Defense, and Federal Aviation Administration
Witchweed	80	80	North Carolina and South Carolina
SUBTOTAL, Pest and Disease Management	\$132,259	\$118,207	
Animal Welfare	\$174	\$44	
SUBTOTAL, Animal Welfare	\$174	\$44	
Plant Methods Development Laboratories	\$34	\$18	Other Federal agencies, States and Universities
Wildlife Services Methods Development	1,220	2,324	States and private land owners
SUBTOTAL, Scientific and Technical Services	\$1,254	\$2,342	
Commodity Credit Corporation	\$556	\$698	Potato Cyst Nematode: Idaho Department of Agriculture Emerald Ash Borer: Indiana, Maryland, Michigan and Ohio Light Brown Apple Moth: California Department of Food and Agriculture



NON-FEDERAL FUNDING SOURCES  
(Dollars in Thousands)

Line Item	FY 2009 Non- Federal Funding	FY 2010 Non- Federal Funding	Source(s)
Farm Bill Section 10201 and 10202	497	5,352	Alaska, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Idaho, Illinois, Kansas, Kentucky, Maine, Massachusetts, Maryland, Montana, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, and Washington
SUBTOTAL, Other	\$1,053	\$6,050	
TOTAL, Estimated	\$187,789	\$188,106	

CONTINGENCY FUND

Mr. Kingston: What is the current status of the APHIS Contingency Fund?

Response: The information is submitted for the record.

[The information follows:]

APHIS CONTINGENCY FUND	
<b>Availability:</b>	
Total Balance Carried Forward from FY 2010	\$2,423,361
FY 2011 Appropriation (CR thru April 8, 2011)	1,071,288
FY 2011 Account Recoveries	87,123
FY 2011 Availability	3,581,772
<b>FY 2011 Releases:</b>	
	\$0
Current Available Balance	\$3,581,772

Mr. Kingston: Please update a table listing all funding expenditures from the Contingency Fund, to include fiscal year 2008 through 2010 and estimates for FY 2011.

Response: The information is submitted for the record.

[The information follows:]

APHIS CONTINGENCY FUND EXPENDITURES				
Program	FY 2008 Actual Obligations	FY 2009 Actual Obligations	FY 2010 Actual Obligations	FY 2011 Estimated Obligations
Asian Gypsy Moth	\$151,050	0	0	0
Cattle Fever Tick a/	0	\$383,288	0	0
Contagious Equine Metritis	85,540	378,167	\$108,402	0
European Grapevine Moth	0	0	3,097,601	0
European Gypsy Moth	152,024	0	0	0
Malignant Catarrhal Fever	287,364	0	0	0
Rabies	804,734	0	0	0
Total	\$1,480,712	\$761,455	\$3,206,003	b/ \$0

a/ This release occurred in late FY 2008. Obligations incurred in FY 2009.

b/ There are no program requests pending as of March 10, 2011.

#### USER FEES

Mr. Kingston: Provide a five-year table that shows the projected revenue for import/export user fees and the projected revenue for veterinary diagnostic user fees including fiscal year 2011 estimates.

Response: The information is submitted for the record.

[The information follows:]

ESTIMATED USER FEE REVENUE FYs 2010-2014 (Dollars in Thousands)					
	FY 2010 Actual	FY 2011 Estimate	FY 2012 Estimate	FY 2013 Estimate	FY 2014 Estimate
Import/Export User Fees (includes Animal Import Centers in Newburgh and Miami)	\$32,200	\$31,200	\$32,200	\$38,700	\$41,500
Veterinary Diagnostics User Fees	\$4,300	\$4,500	\$4,600	\$5,700	\$5,900

## BIOTECHNOLOGY REGULATORY SERVICES

Mr. Kingston: Please provide the Committee with a table showing the staffing and funding for the Biotechnology Regulatory Services for the past five years as well as planned expenditures for fiscal years 2011 and 2012.

Response: The information is submitted for the record.

[The information follows:]

BIOTECHNOLOGY REGULATORY SERVICES							
FUNDING AND STAFF YEARS							
(Dollars in Thousands)							
	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	FY 2011 (est.)	FY 2012 (est.)
Funding	\$10,468	\$10,533	\$11,728	\$12,877	\$13,050	\$13,322	\$25,135
Staff Years	70	70	74	79	79	79	108

## FOREIGN COUNTRIES SPENDING

Mr. Kingston: Please provide a table showing how much APHIS spent in foreign countries to include fiscal years 2009 and 2010.

Response: The information is submitted.

[The information follows:]

Region	Country	FY 2009	FY 2010
Africa	Cape Verde	0	\$41,243
	Egypt	\$799,314	674,658
	Senegal	1,161,374	1,161,157
	South Africa	582,932	983,739
	Other	138,814	51,957
Asia/Pacific	Afghanistan	0	316,593
	Australia	110,208	76,485
	Burma	373,449	199,883
	Cambodia	492,769	223,974
	China	653,984	492,951
	India	302,112	327,000
	Indonesia	718,804	431,734
	Japan	536,945	572,313

Region	Country	FY 2009	FY 2010
	Laos	485,015	199,706
	Pakistan	0	125,000
	Philippines	549,443	404,493
	South Korea	619,607	406,357
	Taiwan	822,410	440,871
	Thailand	647,592	570,780
	Other	300,291	277,659
Caribbean	Dominican Republic	3,898,182	3,735,766
	Haiti	399,284*	502,978
	Jamaica	391,102	382,317
	Trinidad	71,290	73,488
Central America	Belize	711,427	720,999
	Costa Rica	977,917	1,043,047
	Guatemala	25,369,045	23,998,619
	Honduras	461,750	278,711
	Nicaragua	938,150	744,838
	Panama	11,866,787	21,844,822
Europe	Austria	518,889	677,934
	Belgium	698,790	748,419
	France	332,245	303,245
	Italy	263,906	588,479
	Other	287,820	141,376
North America	Canada	513,342	685,876
	Mexico	17,939,114	13,500,553
South America	Argentina	658,827	462,448
	Bolivia	56,198	76,485
	Brazil	708,208	984,854
	Chile	865,909	801,854
	Colombia	1,651,199	1,397,869
	Ecuador	405,130	176,485
	Peru	356,425	76,485
	Uruguay	202,186	76,485
	Venezuela	138,814	176,485
Total		\$79,976,999	\$82,179,470

\*The \$1.3 million in spending for Haiti, reported in the FY 2011 President's budget was incorrect. The correct amount was \$399,284.

#### ANIMAL AND PLANT HEALTH REGULATORY ENFORCEMENT

Mr. Kingston: How many animal and plant health regulatory enforcement violation cases are pending at the agency? How many cases did APHIS close or complete in FY 2009 and FY 2010?

Response: As of March 2011, there are 3,639 animal and plant health regulatory enforcement violation cases pending at the Agency. APHIS closed or completed 6,076 cases in FY 2009 and 5,491 cases in FY 2010.

#### ANALYTICAL AND NATURAL PRODUCTS CHEMISTRY LABORATORY

Mr. Kingston: Please describe the activities of the Analytical and Natural Products Chemistry Laboratory and provide detail on the performance of any pesticide residue contracts with all state and federal agencies.

Response: This laboratory conducts routine sample analysis for detecting the presence of pesticide residues and toxic substances to support ongoing APHIS operational and emergency programs. These include programs that address imported fire ant, Asian longhorned beetle, boll weevil, grasshopper/Mormon cricket, and fruit flies. The laboratory also supports APHIS projects by providing chemistry-based options for the identification and detection of prohibited commodities, the detection of invasive insect species, and quality control work to support contract purchases of lures for pest surveillance programs. This laboratory does not have any pesticide residue contracts with other Federal or State agencies.

#### FOREIGN ANIMAL DISEASE TRAINING

Mr. Kingston: How many training courses were provided in fiscal year 2010 to increase foreign animal disease awareness, where were they conducted, what was the number in attendance, and what did they cost?

Response: The information is submitted for the record.

[The information follows:]

FY 2010 FOREIGN ANIMAL DISEASE TRAINING COURSES PROVIDED BY APHIS		
Course Title & Location	Number of Participants	APHIS Cost
Risk Analysis for Animal Health, Ft. Collins, Colorado	16	\$74,966
Emergency Poultry Disease Response, Newark, Delaware	17	80,241
Veterinary Epidemiology, Ft. Collins, Colorado	24	160,563
International Transboundary Animal Disease Course, Plum Island, New York	19	92,795
West Africa Training in Laboratory Quality Control, Senegal	16	32,198
Middle East Chief Veterinary Officer Risk Assessment Seminar, Qatar	25	3,012
Horn of Africa Risk Assessment Seminar, Kenya	23	5,567
Mid-East Region Technicians Training at Egypt National Laboratory for the Quality Control of Poultry Production, Egypt	8	40,000
Video Teleconference on Iraq Capacity Building, Baghdad, Iraq, and Riverdale, Maryland	15	594

FY 2010 FOREIGN ANIMAL DISEASE TRAINING COURSES PROVIDED BY APHIS		
Course Title & Location	Number of Participants	APHIS Cost
Lab Network Quality Assurance Meeting, Accra, Ghana	12	5,427
Regional Live Bird Market System, Hazard Analysis of Critical Control Points and Poultry Biosecurity Workshop, Tunisia	18	76,752
West Africa Poultry Pathology Training, Nigeria	20	38,000
Annual Coordination Meeting of the West and Central Africa Regional Network of National Veterinary Diagnostic Laboratories for Highly Pathogenic Avian Influenza and other transboundary diseases, Mali	46	3,061
Live Bird Market Seminars, Ecuador	50	16,000
Centers for Epidemiology and Animal Health Mentoring Veterinary Epidemiologist Para-Epidemiologist Program, Antigua	15	14,200
Biosecurity Training, Cianjur and Sukabumi, Indonesia	180	17,520
Global Positioning System and Geographic Information System Open Source Course, Jakarta, Indonesia	30	24,964
Regional Poultry Value Chain Coordination Workshop, Accra, Ghana	20	5,674
Capacity Building for Central Veterinary Laboratory, Windhoek, Namibia	2	8,940
Indonesia Livestock Exposition, Jakarta, Indonesia	2,200	13,868
Biosecurity Training in Subang and Purwakarta, Indonesia	180	23,825
Avian Influenza Epidemiology Training, Phnom Penh, Cambodia	55	24,125
Live Bird Market Biosecurity Workshop, Peru	23	25,000
Poultry Biosecurity Trainings, Indonesia	1,000	55,703
Laos Senior Laboratory Training on Molecular Sequencing, Laos	2	8,307
Poultry Pathology Workshop, Cape Verde	4	41,244
Poultry Pathology Workshop, Cape Verde	15	59,590
Advanced Spatial Epidemiology Workshop, France	10	5,942
Incident Command System Training for Chief Veterinary Officers of the Caribbean, Dominican Republic	30	19,800
Risk Assessment, Animal Health Seminar, Uganda	50	5,942
Spatial Epidemiology Workshop under Centers for Disease Control Field Epidemiology Training Program, Ghana	20	5,942
International Air Transport Association Central America Course, Belize, Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua, Panama	105	8,000
Quality Assurance System Implementation, Gambia	15	50,000

FY 2010 FOREIGN ANIMAL DISEASE TRAINING COURSES PROVIDED BY APHIS		
Course Title & Location	Number of Participants	APHIS Cost
National Poultry Improvement Plan Meeting, San Diego, California	12	31,308
Highly Pathogenic Avian Influenza Simulation Exercise via Videoconference, Jamaica, Haiti, Trinidad, Barbados, Dominican Republic	20	50,000
National Veterinary Services Laboratory Antigen Training, United States	1	7,205
Backyard Poultry Processing Communication Project, Laos	44	15,000
6 <sup>th</sup> Meeting of the CaribVet Epidemiology Working Group, Cuba	15	7,174
Poultry Pathology Training, Banjul, Gambia	20	37,100
Poultry Pathology Training, El Salvador	15	37,130
National Poultry Pathology Refresher Training, Sihanouk Province, Cambodia	45	27,595
Asia Pacific Conference on Wildlife Borne Diseases, Beijing, China	120	27,600
Philippines Pathology Training, Philippines	47	5,942
Swine Influenza Viruses Laboratory Training, Panama and Ames, Iowa	6	15,000
International Epidemiology Training, Taipei, Taiwan	30	523
Global Positioning System and Geographic Information System Transboundary Animal Disease Training, Senegal	20	15,000
Risk Analysis Workshop, Ghana	25	101,100
Epidemiology Training, Turkey	25	35,373
Foreign Animal Disease Course, Teramo, Italy	15	5,942
Risk Analysis Workshop, Ethiopia	30	6,000
Highly Pathogenic Avian Influenza Prevention in Poultry Production, Ecuador	30	49,993
Biosafety Management Training, Bangkok, Thailand	25	27,700
Live Bird Market System Training, Oman	24	74,194
Bolivian Fly Species Identification, Bolivia	40	15,000
National Poultry Quality Improvement Program Workshop, Indonesia	120	34,351
Biosafety Management Training, Thailand	25	27,231
Web Based Emerging Infectious Disease Training, Thailand	0	30,452
Food and Agriculture Organization/World Organization for Animal Health Sub-Regional Laboratory Network for Highly Pathogenic Avian Influenza Meeting and Training, Thailand	2	5,600
National Animal Quarantine Training for Cambodian Sanitary Police with Avian Influenza Emphasis, Cambodia	30	21,508
Basic Veterinary Epidemiology Training, Lao	41	38,000

FY 2010 FOREIGN ANIMAL DISEASE TRAINING COURSES PROVIDED BY APHIS		
Course Title & Location	Number of Participants	APHIS Cost
Veterinary Laboratory Diagnostic Training, Foreign Animal Disease Diagnostic Laboratory, Plum Island, New York	29	45,558
Epidemiological Simulation Modeling, Centers for Epidemiology and Animal Health, Fort Collins, Colorado	29	2,477
Foreign Animal Disease Practitioner Distance Learning Course, University of Georgia, Athens, Georgia, broadcasted from the Foreign Animal Disease Diagnostics Laboratory, Plum Island, New York	20	27,223
Foreign Animal Disease Practitioner Distance Learning Course, National Veterinary Services Laboratory, Ames, Iowa, broadcasted from the Foreign Animal Disease Diagnostics Laboratory, Plum Island, New York	19	7,216
Foreign Animal Disease Diagnostician Training Course for APHIS, State, and Military Veterinarians, Foreign Animal Disease Diagnostics Laboratory, Plum Island, New York	21	86,193
Emergency Management Response System for Area Epidemiologists Training, Center for Epidemiology and Animal Health, Fort Collins, Colorado	13	4,553
Response to Emergency Animal Diseases in Wildlife, University of Georgia, Athens, Georgia	50	1,501
Northern Border Ports Conference, Minneapolis, Minnesota	25	15,216
Contagious Equine Metritis Training, South Wellington, Florida	12	5,954
Smith Kilborne Program, Cornell University, Ithaca, New York, and Foreign Animal Disease Diagnostics Laboratory, Plum Island, New York	30	98,634
Foreign Animal Disease Practitioner Distance Learning Course, National Veterinary Services Laboratory, Ames, Iowa, broadcasted from the Foreign Animal Disease Diagnostics Laboratory, Plum Island, New York	21	6,687
Foreign Animal Disease Practitioner Distance Learning Refresher Course, USDA at Riverside, Riverdale, Maryland, broadcasted from the Foreign Animal Disease Diagnostics Laboratory, Plum Island, New York	15	1,953
Foreign Animal Disease Diagnostician Training Course for APHIS, State, and Military Veterinarians, Foreign Animal Disease Diagnostics Laboratory, Plum Island, New York	20	90,751
Epidemiological Simulation Modeling, Centers for Epidemiology and Animal Health, Fort Collins, Colorado	10	2,477



FY 2010 FOREIGN ANIMAL DISEASE TRAINING COURSES PROVIDED BY APHIS		
Course Title & Location	Number of Participants	APHIS Cost
Emergency Management Response System for Incident Management Teams Training, Kansas City, Missouri	17	29,782
Total	5,423	\$2,222,958

## TRAP TESTING

Mr. Kingston: How much does APHIS plan to spend on trap testing in fiscal years 2011 and 2012 and how much of this is on non-lethal methods of trap testing?

Response: APHIS' National Wildlife Research Center is spending \$246,300 in FY 2011 and plans to spend the same amount in FY 2012, in support of trap testing standards. All of APHIS' trap testing is spent on non-lethal methods. This effort will provide information leading to the development of best management practices (BMP) regarding the humane trapping of wildlife, in support of a 1997 agreement with the European Union.

Because individual States have regulatory authority to manage wildlife within their borders, a coordinated national effort requires the cooperation of State wildlife management agencies. These agencies are providing information on the performance of traps currently in use to the Association of Fish and Wildlife Agencies to contribute to the BMP development process. Trap methods vary by each State's management objectives, target species, and use pattern. The effort is principally devoted to developing BMPs for commercial restraint traps and cage traps. The traps are nonlethal, and the BMPs are designed to make the capture method as humane as possible. However, the disposition of the captured animals varies depending upon the outcome of the activity or State management objectives.

The research and resulting BMPs may be used by other countries to improve their programs. The United States will also use the BMPs to address international commitments to identify and promote the use of humane traps and trapping methods for capturing wildlife.

## STATE DEPARTMENT REIMBURSEMENTS

Mr. Kingston: How much does APHIS expect to reimburse the Department of State for shared administrative costs in fiscal years 2009 and 2010? How does this compare to previous years?

Response: APHIS pays the United States Department of State for International Cooperative Administrative Support Services (ICASS). The ICASS system is the principal means by which the U.S. Government provides and shares the cost of common administrative support needed to ensure effective operations at diplomatic and consular posts abroad.

[The information follows:]

STATE DEPARTMENT REIMBURSEMENTS	
Fiscal Year	Reimbursement amount
2007	\$3,385,655
2008	3,405,388
2009	3,296,911
2010	3,794,227

## TRUST FUND AGREEMENTS

Mr. Kingston: Please list the trust fund agreements you have with major exporting groups.

Response: The following table represents FY 2010 amounts, as FY 2011 will be based on services provided (including inspections conducted) and are not yet available.

[The information follows:]

APHIS TRUST FUND AGREEMENTS FOR MAJOR EXPORTING GROUPS			
Trust Fund Agreement	Country	FY 2010 Amount	Major Commodity
Asociacion de Export de Chile	Chile	\$1,800,717	grapes, blueberries
Association Nationale des Export	Haiti	986,480	mangos
Valexport	Brazil	513,212	mangos
Bond Van Bloembollenhandelaren (ANTHOS)	Netherlands	580,456	flower bulbs
Jamaican ministry of Agriculture	Jamaica	463,751	strawberries, avocados, pineapples, yams, spices
Deciduous Fruit Producers Trust	South Africa	272,382	apples, pears, oranges, clementines, grapes
Association Peruana de Exportadores de Mango	Peru	181,605	mangos
Fundación Mango Ecuador	Ecuador	263,585	mangos
Ibertrade Commercial Corporation	Spain	202,272	oranges, lemons, clementines
Pipfruit New Zealand	New Zealand	134,159	apples, pears
National Agricultural Cooperative Federation	Korea	412,863	sandpears, apples

## APHIS TRUST FUND AGREEMENTS FOR MAJOR EXPORTING GROUPS

Copexeu	Argentina	320,429	apples, cherries, nectarines, pears, plums, peaches, blueberries
Total Costs		\$6,131,911	

## RABIES

Mr. Kingston: What is the status of the national rabies management plan? How much do you plan to spend in FY 2011 and request in FY 2012 for this program?

Response: The North American Rabies Management Plan, the U.S. National Plan for Wildlife Rabies Management and the Wildlife Services Rabies Management Business Plan all represent the United States' strategic framework for surveillance and control with Canada and Mexico. These plans were developed and are reviewed and updated as needed annually with input from counterparts from Health, Agriculture and Fish and Wildlife Agencies in Canada and Mexico, and State agriculture, health, and wildlife agencies, and Federal partners such as the Centers for Disease Control and Prevention (CDC) in the United States.

Wildlife rabies management efforts in the United States are focused on broad goals outlined in the U.S. National Plan for Wildlife Rabies Management (2008-2012) that include: enhanced wildlife rabies surveillance, management, research and communication among government agencies, universities, and private organizations; preventing the further spread of rabies; and, eventual elimination of specific rabies virus variants in terrestrial carnivores. There have been no canine rabies cases in the United States since 2004 and the United States was officially declared canine rabies-free in September 2007. This could not have been accomplished without oral rabies vaccination (ORV) efforts targeting coyotes in south Texas. With APHIS' use of strategic applications of ORV, there have been no cases of a unique rabies variant in gray foxes in Texas for almost two years. Through the strategic creation of ORV-zoned areas, additional spread of raccoon rabies has been prevented, avoiding substantial public and animal health impacts and associated costs. In FY 2011, APHIS is planning to conduct field trials with a new oral rabies vaccine that is used in Canada. This oral vaccine holds promise to move toward elimination of raccoon rabies on a more aggressive schedule.

In FY 2011, APHIS plans to spend \$23.9 million on national rabies control to support enhanced surveillance through cooperative efforts in 18 eastern, Gulf Coast and mid-western States, as well as Texas, Arizona, and New Mexico. The FY 2012 President's budget requests \$21.385 million for the rabies program, which includes a \$2.6 million reduction. This reduction is associated with the cost of baiting and distribution services above the normal program operations. Cooperators requesting these additional services will be required to pay for them.

Mr. Kingston: Provide the Committee with a complete update of the rabies control program. How much do you plan to spend on this program in fiscal years 2011 and FY 2012 in comparison with spending levels for FY 2010?

Response: The management of wildlife rabies in the United States relies on the successful implementation of the broad goals outlined in the U.S. National Plan for Wildlife Rabies Management (2008-2012) that include: 1) enhanced wildlife rabies surveillance, management, research and communication among government agencies, universities, and private organizations; 2) preventing the further spread of the disease; and, 3) the eventual elimination of specific rabies virus variants in terrestrial carnivores.

There have been no canine rabies cases in the United States since 2004, and the United States was officially declared canine rabies-free in September 2007. This could not have been accomplished without oral rabies vaccination (ORV) efforts targeting coyotes in south Texas. There have been no cases of a unique rabies variant in gray foxes in Texas for almost two years through strategic application of ORV. Another major achievement through the strategic creation of ORV zoned areas is that there has been no additional spread of raccoon rabies, avoiding substantial public and animal health impacts and associated costs. In FY 2011, APHIS is planning to conduct field trials with a new oral rabies vaccine that is used in Canada that holds promise for eliminating raccoon rabies on a more aggressive schedule.

In FY 2010, APHIS spent \$23.81 million in appropriated funds on operations and research toward rabies containment and elimination of wildlife rabies in 18 states. In FY 2011, APHIS plans to maintain funding of \$23.81 million on national rabies control to support enhanced surveillance through cooperative efforts in 18 eastern, Gulf Coast and mid-western States, as well as Texas, Arizona, and New Mexico. The Agency is requesting \$21.385 million to continue the rabies program in FY 2012, which includes a \$2.6 million reduction. This reduction is associated with the cost of additional baiting and distribution services above the normal program operations. Cooperators requesting these additional services will be required to pay for them.

Mr. Kingston: Has the Agency expanded the rabies control program to other States?

Response: There was no expansion of the rabies control program in FY 2010. The focus has been on efficiency and effectiveness in control and elimination efforts targeting coyotes and gray foxes in Texas and New Mexico, gray foxes near Flagstaff, Arizona, and raccoons in the eastern United States. In FY 2010, rabies control efforts through oral rabies vaccination occurred in Maine, New Hampshire, Vermont, Massachusetts, New York, Pennsylvania, Maryland, West Virginia, Ohio, Virginia, North Carolina, Tennessee, Georgia, Florida, Alabama, Texas, Arizona and New Mexico.

Mr. Kingston: Are there funds in the budget request to expand the rabies control program to other States?

Response: APHIS is not requesting additional funding to expand the rabies control program to other States.

#### EMERGENCY PROGRAM FUNDING REQUESTS

Mr. Kingston: Please provide a table for the record showing all APHIS line items that have proposed increases for fiscal year 2012 that were funded out of the CCC in fiscal year 2010 and the corresponding funding amounts.

Response: The information is submitted for the record.

[The information follows:]

ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
EMERGENCY PROGRAM FUNDING REQUESTS

Program	FY 2010 CCC Release Amount	FY 2012 Increase Request
Asian Longhorned Beetle	\$41,451,000	\$11,970,000
TOTAL*	\$41,451,000	\$11,970,000

\*Of the FY 2010 total, \$13,569,549 was redirected and funded from existing balances.

Mr. Kingston: According to the budget object class breakout, APHIS agreements drop significantly - from \$242 million in FY 2010 to an estimated level of \$133 million in FY 2012? What accounts for this decrease?

Response: Many of APHIS' pest and disease programs are conducted in collaboration with State and local entities. The Agency enters into cooperative agreements with partners to conduct program activities aimed at managing agricultural pests and diseases in their States. APHIS' budget request includes significant reductions for these types of programs resulting in a decreased number of cooperative agreements entered into with the States. The object class breakout also includes obligations in emergency funding transferred to the Agency from the Commodity Credit Corporation. The majority of the funding is obligated in the year the funding is received, and the Agency's needs for new emergency funding in FY 2012 are unforeseen and therefore not included in estimated obligations for the fiscal year.

SALARIES

Mr. Kingston: According to the budget object class, Senior Executive Service salaries are expected to rise but GS positions are expected to remain flat? Please explain.

Response: Unfortunately, we reported an error on the budget object class breakout. We also anticipate the Senior Executive Services salaries to remain flat based on the two-year pay freeze beginning with fiscal year 2011.

CHRONIC WASTING DISEASE

Mr. Kingston: What is APHIS doing to combat chronic wasting disease? How does APHIS plan to deal with the issue in FY 2012 if the Agency nearly eliminates the program? What contingencies are in place to deal with the issue?

Response: Chronic wasting disease (CWD) has been found in farmed and wild cervids (deer and elk) in the United States. Eleven states have

reported cases in farmed cervids and 15 States have reported cases in wild cervids.

Current efforts to prevent and control CWD are aimed at reducing the risk of disease transmission between wild and farmed cervids through surveillance in these populations and outreach/education activities. APHIS has also developed a national voluntary herd certification program (HCP) in consultation with States, the farmed cervid industry, and the U.S. Animal Health Association. The HCP is designed so that captive cervid owners can participate in the national program through participating States, which must meet national program requirements for surveillance, herd inventory, animal identification, and fencing. Full implementation of the HCP will follow the upcoming publication of a rule. In addition to describing a herd certification program, the rule will also establish minimum standards for interstate movement of live cervids.

The success of the national voluntary HCP is based upon cooperation and shared responsibility between the Federal government and State and local interests. A national program and minimum standards for interstate movement will provide consistency and be an effective means to prevent and control the transmission of the disease between wild and farmed cervids. APHIS will maintain some funding to provide Federal coordination of the HCP and to enforce the Federal rule once it is in place.

#### DEPARTMENT OF HOMELAND SECURITY

Mr. Kingston: Does APHIS plan on or anticipate any transfers of appropriated funds to DHS in FY 2011 and FY 2012? To any other Department?

Response: At this time, APHIS does not plan or anticipate any transfers of appropriated funds to DHS or to any other Department in FY 2011 and FY 2012.

Mr. Kingston: What was the fiscal year 2010 amount that APHIS transferred to the Department of Homeland Security for agricultural quarantine inspection from user fees? Did this occur on a reimbursable basis or was the transfer made before any work was carried out? What are the amounts expected to be transferred in FY 2011 and FY 2012, and on what schedule?

Response: In FY 2010, APHIS transferred \$312,227,127 to the Department of Homeland Security (DHS). These transfers are scheduled to occur every two months subject to availability of funds. Agricultural Quarantine Inspection (AQI) fees are charged to entities on a cash and quarterly basis. The majority of the funds collected (from airlines for aircraft clearance user fees and international air passengers) are remitted to APHIS on a quarterly basis 31 days after the close of the quarter during which the planes flew or passengers bought their tickets. The bulk of the collections come into APHIS every three months, while the transfers to DHS occur approximately every two months. Due to the lag in actual collections, APHIS needed to adjust the amount and frequency of the transfers. APHIS and the Department of Homeland Security's Bureau of Customs and Border Protection (CBP) discussed the potential for schedule adjustments at the beginning of FY 2010 and APHIS notified CBP when full transfers could not be made as scheduled. The actual transfers occurred as noted below.

[The information follows:]

FY 2010 TRANSFERS TO DHS	
November 2009	\$54,813,797
January 2010	30,000,000
February 2010	21,482,666
March 2010	51,482,666
June 2010	51,482,666
July 2010	30,000,000
August 2010	72,965,332
Total	\$312,227,127

In FY 2011, APHIS will transfer \$318,115,785 million with the transfers scheduled to occur every two months subject to the availability of funds. The November, January, and March transfers occurred as scheduled.

[The information follows:]

FY 2011 PLANNED TRANSFERS TO DHS	
November 2010	\$53,019,297
January 2011	53,019,297
March 2011	53,019,297
May 2011	53,019,298
July 2011	53,019,298
August 2011	53,019,298
Total	\$318,115,785

Representatives from APHIS and CBP will develop spending plans and allocations for each Agency for FY 2012 based on FY 2011 collections.

Mr. Kingston: Are the transfers occurring on a schedule that allows proper management of funds by DHS?

Response: APHIS and the Department of Homeland Security (DHS) - Bureau of Customs and Border Protection develop the schedule for each year jointly, and incorporate it into the Codicil to Appendix 5 (Transfer of Funds) to the Memorandum of Agreement between the two Agencies. The Codicil is signed each year after the budget and financial management liaisons from the two Agencies determine how much funding each will be allocated. The budget and financial management liaisons continue to meet throughout the year to discuss program needs and revenue collection, and the two Agencies make adjustments to the Codicil as needed to allow for effective program and financial management. Due to the lag in actual collections, APHIS may spread out certain transfers as agreed upon by the two Agencies.

Mr. Kingston: How many AQI-appropriated staff years were transferred to DHS, and how many AQI-appropriated staff years remain in APHIS? How many AQI-user fee staff years were transferred to DHS, and how many AQI-user fee

staff years remained in APHIS? How many vacancies are there in AQI positions in APHIS and in DHS?

Response: In FY 2003, APHIS transferred 497 Agricultural Quarantine Inspection (AQI)-appropriated staff years to the Department of Homeland Security (DHS), and 293 remained in APHIS. APHIS also transferred 2,187 AQI-user fee staff years to DHS, and 997 remained in APHIS. As of March 2011, APHIS has 83 vacancies in both appropriated staff years and user fee staff years. DHS has less than a one percent vacancy rate for Agricultural Specialists, which is equivalent to approximately 25 positions.

#### SCREWORM

Mr. Kingston: How does APHIS ensure that an effective screwworm barrier is maintained in Panama?

Response: APHIS has a cooperative agreement in place with Panama to maintain a barrier against screwworm moving north from South America into eradicated areas of North and Central America. The program eradicated this pest from the freeze line in the United States to the narrowest point in Panama, the Darien Gap, and has established a permanent barrier against the pest at the Panama/Colombia border. The screwworm barrier is maintained in Panama by the weekly release of sterile screwworms over the Darien Gap. Field inspectors also conduct surveillance and monitoring programs in the Darien Gap and treat any screwworm case found. Additionally, APHIS works with Panama and Central American countries to conduct ongoing surveillance and responds to any potential detection with an investigation and control operations, if needed. In March 2009, the program established a new sterile fly rearing facility in Panama, closer to the region where screwworm has not been eradicated. Currently, the program is producing approximately 20 million sterile flies per week for release over the Darien Gap to prevent fertile screwworms in South America from moving north.

#### COMMODITY CREDIT CORPORATION

Mr. Kingston: Please provide for the record a copy of the transmittal letters to the Committee on the fiscal year 2009 and 2010 transfers from the Commodity Credit Corporation to APHIS to combat emergency pest and disease outbreaks.

Response: APHIS reports this information each year in its budget request (Congressional Justification). A summary of funding transfers for FY 2009 and FY 2010 is as follows:

COMMODITY CREDIT CORPORATION TRANSFER SUMMARY  (Dollars in Thousands)	
FY 2009 Transfers:	
Asian Longhorned Beetle	\$24,533
Cattle Fever Tick	4,894
Total	\$29,427



COMMODITY CREDIT CORPORATION TRANSFER SUMMARY  (Dollars in Thousands)	
FY 2010 Transfers:	
Asian Longhorned Beetle	\$27,881
Grasshopper	8,235
* Total	\$36,116

\* The table shows new emergency funding transfer amounts for each fiscal year only and does not include \$16.07 million in FY 2010 of redirected, unobligated balances carried over from prior years.

Mr. Kingston: Regarding fiscal year 2011 transfers from the CCC to APHIS to combat emergency pest and disease outbreaks, how much has the Agency requested from the Department? How much has the Department requested from OMB? How much has OMB apportioned?

Response: As of March 10, 2011, APHIS has requested and received Commodity Credit Corporation (CCC) funds for one emergency program. The approved transfer has been apportioned to the Agency. The emergency program and transfer amount is shown below.

[The information follows:]

ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
COMMODITY CREDIT CORPORATION TRANSFERS

Fiscal Year 2011  
As of March 10, 2011

Emergency Program	Apportioned Amount
European Grapevine Moth	\$16,922,324
* TOTAL*	\$16,922,324

Of this total, \$6 million was redirected from existing CCC balances.

AMES MASTER PLAN

Mr. Kingston: Please provide an update of the Ames Master Plan for the record.

Response: The Ames modernization plan included four major components: Phase 1 and Phase 2 of the Consolidated Laboratory Facility (CLF); the High Containment Large Animal Housing Facility; Low Containment Large Animal Housing Facility; and, the Training Facility. The plan has been funded through appropriations totaling \$462 million over six years.

Phase 1 of the CLF, which includes bio-safety level (BSL) 2 and 3 laboratories for pathobiology and diagnostic bacteriology work, was completed in September 2004. The High Containment Large Animal Housing Facility, which includes 22 rooms for animals such as bison, cattle, horses, and swine, and two necropsy areas, was completed in February 2007.

Phase 2 of the CLF provides additional BSL-2 and BSL-3 laboratories, caged animal facilities, administrative/office/conference spaces, and support services spaces. USDA took possession of the Phase 2 CLF in April 2009, and the movement of personnel into the facility occurred in July-September 2009. All select agent registrations related to APHIS operations that were moved to this new space are expected to be completed in mid-2011. USDA took possession of the Low Containment Animal Housing Facility in February 2009 and began using it for animal work in June 2009.

The finished complex includes almost 1 million square feet of bio-safe, energy-efficient modern facilities that will provide state-of-the-art capabilities for research, diagnosis, and biological product evaluation, thereby enhancing USDA's ability to respond to domestic, emerging, foreign animal disease, and bioterrorism threats. On April 19, 2010, the CLF was officially dedicated in a ceremony with the Secretary of Agriculture, the Iowa Congressional delegation, many stakeholders, and USDA personnel in attendance. Decontamination and demolition of the old Agricultural Research Service animal facilities and Buildings 1 and 2 are expected to be completed in 2011.

#### CATTLE TICK PROGRAM

Mr. Kingston: Please provide the Committee with the current status of the cattle tick program.

Response: The Cattle Fever Tick Eradication Program (CFTEP) is a cooperative program between APHIS and the Texas Animal Health Commission (TAHC). The TAHC provides support personnel and conducts surveillance in the tick-free areas of Texas. APHIS leads the program and maintains the permanent quarantine zone through surveillance and tick control activities. APHIS' mounted inspectors patrol designated sections to intercept tick-carrying wildlife, as well as stray and smuggled Mexican-origin livestock. Intercepted animals must be quarantined, inspected, and treated. From FY 1990 to 2010, approximately 48 percent of intercepted cattle were infested with fever ticks.

APHIS, in collaboration with TAHC, continues to make progress in reducing infestations outside the quarantine zone. These efforts began after tick outbreaks occurred in FY 2008 - 2009. In FY 2010, the number of tick outbreaks decreased by 38 percent in the permanent quarantine and free areas of south Texas compared to the previous year. In FY 2010, 90 new fever tick-infested premises were identified compared to 146 in FY 2009. During FY 2010, APHIS horseback patrols along the U.S.-Mexico border apprehended a total of 44 Mexican cattle, representing a 67 percent decrease from 133 apprehended during FY 2009. Of the 44 cattle apprehended, 28 were infested with fever ticks. Two of the 13 apprehended equines were also infested. In addition to river patrols, APHIS inspectors conduct voluntary inspections of private cattle herds by request, and conduct surveillance for potentially tick-infested livestock at selected south Texas livestock sale barns. At the same time, APHIS conducts tick inspections of deer hides and carcasses during

the hunting season to help prevent the movement of tick-infested material to other parts of Texas and the United States.

Historically, the CFTEP has relied on the process of dipping livestock in a pesticide that is 100 percent effective in killing fever ticks. More recently, and due to the potential for pesticide resistance developing in tick populations, the CFTEP is exploring the use of additional proactive treatment measures. These measures include the installation of game fencing along critical areas of the permanent quarantine line to prevent the unrestricted movement of native and exotic wildlife, the use of deer treatment devices developed by USDA's Agricultural Research Service, evaluating medicated feed supplements to treat tick-infested cattle, and working with Texas to evaluate an anti-tick vaccine. APHIS recently initiated the development of an environmental impact statement to address possible concerns associated with the construction of game fencing.

#### GLASSY-WINGED SHARPSHOOTER

Mr. Kingston: What is the status of efforts to combat Glassy-winged sharpshooter (GWSS)/Pierce's Disease?

Response: APHIS and California have contained the GWSS within 10 California counties (Fresno, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Santa Barbara, Tulare, and Ventura) where it is established. To control this pest, we are working with the California Department of Food and Agriculture (CDFA) to minimize the Statewide impact of Pierce's Disease and its vectors and reduce GWSS populations without significantly affecting agricultural production areas. Currently, we are conducting area-wide management programs in major citrus-producing areas of Fresno, Kern, Riverside, and Tulare Counties. These programs were highly successful at suppressing GWSS populations and maintaining rejections of bulk citrus at low levels. These low levels enabled citrus growers to comply with State regulations and move their products to packing houses for export. Meanwhile, State officials inspect nursery stock for GWSS life stages at originating and destination counties. Since APHIS and CDFA began GWSS management activities in FY 2000, we have prevented this pest from becoming established and causing significant economic damage to the valuable wine-growing regions of California.

#### SCRAPIE

Mr. Kingston: What steps is APHIS taking to reduce and/or eradicate scrapie from the United States?

Response: APHIS began full implementation of accelerated scrapie eradication efforts in FY 2002, following the publication of the final rule, "Scrapie in Sheep and Goats; Interstate Movement Restrictions and Indemnity Program." The rule requires the identification of certain classes of sheep and goats in interstate commerce, provides indemnity for animals required to be destroyed, establishes standards for handling infected and exposed flocks/herds, establishes standards for approving tests and laboratories, and, sets standards for State scrapie control programs.

APHIS has made great progress in reducing the prevalence of scrapie under the regulatory scrapie slaughter surveillance program that is designed

to maximize the detection and clean up of infected flocks. Nearly all establishments slaughtering significant numbers of mature sheep participate in the program, and samples from nearly 300,000 sheep and goats have been collected since its inception. Scrapie prevalence has decreased 85 percent from FY 2002 to FY 2010. Also, the number of newly identified infected/source flock decreased by 37 percent in FY 2010 compared to FY 2009.

APHIS assists owners of infected and exposed flocks with clean-up efforts by providing testing and indemnity for scrapie-susceptible exposed animals in these flocks. In FY 2010, the Agency assisted approximately 65 owners. APHIS also collaborates with industry to distribute educational materials to producers, markets, and veterinarians on identification requirements, genetic testing, and flock cleanup.

In FY 2010, APHIS provided more than 3 million eartags to producers as part of the scrapie program. More than 150,000 sheep and/or goat premises are contained in the Scrapie National Generic Database, with approximately 92 percent of these premises having received official eartags.

APHIS reviewed six State scrapie programs in FY 2010 to ensure that the States met the requirements to remain scrapie-consistent states. The reviews resulted in improvements in program implementation.

Advances in diagnostic testing and genetic testing, to determine disease susceptibility, have resulted in better tools to help reduce the incidence of scrapie. A live-animal test was approved in January 2008, which can be used to evaluate the status of exposed flocks and high-risk animals.

APHIS and the States cooperatively administer the Scrapie Free Flock Certification Program (SFCP). This program provides sheep and goat producers an avenue by which they can demonstrate disease freedom in their flocks and herds. This SFCP also allows U.S. producers to meet the requirements to export sheep and goats to other countries. Currently there are 1,577 participating flocks and herds in the SFCP.

#### TUBERCULOSIS

Mr. Kingston: How many tuberculosis affected-herds are there in the United States and where are they located?

Response: As of March 2011, there are four tuberculosis affected herds in the United States. Three herds are in Michigan, and one herd is in Indiana. Two of the herds in Michigan are undergoing a test and remove protocol. The test and removal protocol allows the removal of only infected animals from the herd. This option allows owners to maintain a viable herd rather than depopulating the entire herd. The disposition of the two remaining herds is pending.

#### WILDLIFE

Mr. Kingston: What are APHIS' efforts to control the spread of wildlife rabies?

Response: APHIS' rabies control strategy involves the distribution of oral rabies vaccine within specified management zones. These management

zones are called oral rabies vaccination (ORV) zones. This strategy is effective in orally vaccinating raccoons, coyotes, and gray foxes. APHIS creates ORV zones at strategic locations that are often along the leading edge of the current distribution of specific variants of the rabies virus. The ORV zones act as a barrier to the spread of rabies.

APHIS' goal for FY 2010 was to contain any outbreak necessary to restore the integrity of the ORV zones. When breaks in ORV zones occur or rabies is detected in new areas, the program will shift resources from other ORV zones to address potential rabies spread in these new, higher-risk areas.

APHIS also works with Mexico and Canada to address rabies. To better address cross-border issues, the program works under the North American Rabies Management Plan, which includes Canada, Mexico, and the United States. The translocation (specifically, the human-assisted movement) of wildlife that could accelerate the spread of rabies is always a major concern. APHIS will continue to collaborate with other Federal and State agencies, Mexican and Canadian counterparts, professional organizations, and other groups to enhance outreach, education, and other measures to help reduce the translocation of wildlife beyond coordinated ORV efforts of the United States, Canada, and Mexico.

Mr. Kingston: What is Wildlife Services' role in managing Chronic Wasting Disease?

Response: Wildlife Services' role in managing Chronic Wasting Disease (CWD) to provide assistance to the general public, State, Federal and Tribal wildlife agencies and agriculture departments with the management, surveillance, and research of the disease in free-ranging and captive wildlife. The main area of emphasis is the support provided to State wildlife agencies during fall and winter hunting seasons by sampling free-ranging deer and elk for CWD. APHIS' Wildlife Disease Surveillance and Emergency Response program provides operational assistance to develop management plans, collect and test samples from hunter-harvested deer, investigate mortality events, and manage captive wildlife herds that test positive. In FY 2010, APHIS provided assistance to State wildlife agencies and several tribes regarding CWD testing of hunter-harvested deer in 26 States. Minnesota, Wisconsin, and other States requested additional assistance in resources to operate hunter check stations. APHIS responded to these requests by mobilizing out-of-state surveillance and emergency response system biologists to fill the request with the best qualified personnel.

The role of APHIS' National Wildlife Research Center (NWRC) has been to address scientific questions that will lead to a better understanding of CWD and to develop means for managing and controlling the disease. APHIS scientists focus most of their efforts on studies that pertain to the interface between free-ranging cervids and livestock (including captive cervids). APHIS works closely with industry, State, and Federal entities to address research needs.

APHIS continues to implement the live animal test NWRC has helped develop. APHIS is using this test as a research tool, and is assisting other agencies in its use.

APHIS is also working with the University of Nebraska, Creighton University, and Colorado State University to evaluate CWD decontamination methods, and also is working with the private sector to get a decontaminant

registered for use in the United States. A registered decontaminant would be a major step in the control of CWD.

The Agency is conducting a series of studies to determine levels of risk associated with CWD transmission from wild cervids to captive cervids and other livestock under normal livestock agricultural practices such as mineral supplementation. APHIS is also collaborating with Colorado State University to develop tests to detect minute levels of CWD in fluids and tissues, and understand how environmental contamination and varying levels of trace metals in the diet can effect CWD transmission.

#### WOLF CONTROL ACTIVITIES

Mr. Kingston: What is the status of wolf control activities? How much is APHIS investing in this effort for fiscal years 2011 and 2012?

Response: APHIS has actively partnered with the U.S. Fish and Wildlife Service (FWS) and State wildlife agencies through the various wolf recovery plans and is conducting wolf damage management activities in Montana, Idaho, Wyoming, Oregon, Washington, Arizona, New Mexico, Minnesota, Wisconsin, and Michigan.

Gray wolf populations in the United States are made up of three distinct population segments - Western Great Lakes (WGL), Northern Rocky Mountain (NRM), and Southwestern.

Because wolves are still listed as threatened or endangered, the majority of conflicts are addressed with non-lethal methods including livestock investigations, radio-collaring and tracking, and direct operational assistance with fladry, electronic guards, and flashing lights. In partnership with State wildlife agencies and FWS, APHIS participated in 317 WGL wolf-related projects in FY 2010.

Since January 2005, FWS provided more management flexibility for experimental NRM wolf populations in Montana and Idaho based on FWS approved State Wolf Management Plans. In 2010, APHIS' Wildlife Services participated in 284 wolf-related projects involving the NRM distinct population segment, as part of ongoing cooperative programs with State wildlife agencies and the FWS.

APHIS personnel in Arizona and New Mexico have continued to cooperate with the FWS, the Arizona and New Mexico Departments of Game and Fish, livestock producers, and conservation groups with the Southwestern wolf reintroduction project. During 2010, APHIS' involvement was primarily in monitoring wolf movements and assessing wolf damage. APHIS participated in 2 projects in this area.

Funding related to APHIS' wolf damage management activities has been designated as Congressionally directed projects over the years. At this time, the Agency does not have an estimate of funding planned for these activities in FY 2011 and FY 2012.

## WEST NILE VIRUS

Mr. Kingston: Please detail APHIS' activities dealing with West Nile Virus for the record. Please include a description of activities in California.

Response: APHIS' Wildlife Services program conducted limited activities to monitor and research West Nile Virus (WNV) in FY 2010. The Agency obtained samples in 8 states (Colorado, Hawaii, Minnesota, Pennsylvania, Nevada, Maryland, Delaware, and Wisconsin) to monitor for WNV. APHIS also operates WNV hotlines in Wisconsin and New York to receive public reports of sick and dead birds.

During FY 2010, APHIS' National Wildlife Research Center continued to investigate the utility of certain wildlife species and other animals as sentinel species for early prediction of WNV transmission in the wild. The goal of this activity is to enhance development of seasonal risk assessments, for which indicators may vary across regions. The research program completed studies on cliff swallows as early warning sentinels for prevalence of WNV in urban and suburban areas and on wild mammals such as tree squirrels as reservoirs and raccoons as transmitters for WNV. The State of California used these findings to incorporate tree squirrels as an additional surveillance species in their State-wide WNV monitoring program. APHIS also conducted studies on rapid field methods for detecting WNV in wildlife and evaluated WNV in wildlife species of conservation concern. APHIS also is conducting surveillance on endangered northern spotted owls since WNV was detected within the range of this species.

## BIOTECHNOLOGY ACTIVITIES

Mr. Kingston: Please provide the Committee with an update on APHIS animal-related biotechnology activities.

Response: APHIS has a rigorous regulatory system in place to examine and mitigate the risks of genetically engineered (GE) insects that are plant pests, while the Food and Drug Administration is the lead Agency on animal biotechnology issues. APHIS recognizes the importance of further clarifying the regulatory system as it pertains to GE insects as animal pests. The White House's Office of Science and Technology Policy (OSTP), Agricultural Biotechnology Working Group (ABWG) has established an intergovernmental subgroup to evaluate the current state of research and development and discuss potential risks and statutory authorities associated with the control of GE insects. APHIS is participating in interagency discussions led by the OSTP and will consider the future direction for the regulation of GE insects as animal pests based on the outcomes of the ABWG discussions.

Mr. Kingston: Other countries, especially developing countries, have trouble accepting our biotechnology-derived products because they don't have a regulatory program in place to evaluate the products. What is APHIS doing to assist developing countries with building and facilitating science-based and transparent biotechnology regulatory systems?

Response: APHIS' Biotechnology Regulatory Services Program (BRS) represents USDA in several international forums that support the development of science-based regulatory systems in developing countries. APHIS contributes to USDA representation in Codex Alimentarius and the

International Plant Protection Convention in developing international standards for risk assessments of new biotechnology crops. APHIS also participates in the High Level Policy Dialog on Agricultural Biotechnology under the Asia Pacific Economic Cooperation to promote policies supporting the adoption of biotechnology regulations in the Asia-Pacific region. APHIS also participates in the Ad hoc Technical Experts Group on Risk Assessment under the United Nations Cartagena Protocol on Biosafety, creating a 'roadmap' to assist countries in conducting risk assessments of new biotechnology products. APHIS co-leads the Working Group on Harmonization of Oversight of Biotechnology under the Organization of Cooperation and Development which develops consensus documents to assist countries in evaluating the safety of new biotechnology crops.

APHIS works bilaterally and regionally to support implementation of transparent and practical implementation of biosafety regulations. Under the U.S./China Technical Working Group, APHIS continually discusses regulatory policy and risk communication with counterparts in China. APHIS works closely with Mexico under the North American Biotechnology Initiative (NABI) and in ongoing technical trilateral meetings (Canada and Mexico) to facilitate harmonization of regulatory policies and practices within North America. Under NABI, APHIS provides technical training on oversight of field trials of biotech corn to assist Mexico in allowing experimental planting of biotech corn for the first time since a ban in 1998. APHIS is currently developing additional training to allow large-scale pilot plantings of biotech corn, at the request of Mexican regulatory officials.

In addition, APHIS regulatory officials meet with foreign officials from developing countries visiting the United States to learn about U.S. oversight of biotechnology crops. In FY 2010 and 2011 APHIS met with officials from South Africa, Indonesia, Malaysia, Vietnam, Ukraine, Sri Lanka, and the Philippines. APHIS also works closely with USDA's Foreign Agricultural Service and the State Department, to provide technical information and training to support outreach efforts in regulatory development and acceptance of biotech technologies in developing countries.

These activities will ultimately help other countries develop regulatory systems for biotechnology-derived crops that will allow them to make informed regulatory import decisions.

#### ANIMAL DISEASE TRACEABILITY

Mr. Kingston: The National Animal Identification System (NAIS) was initiated in fiscal year 2004. What is the total funding for that project or its equivalent in the FY 2012 budget, appropriated and CCC funds, and please describe in more detail the FY 2012 request?

Response: The FY 2012 President's budget requests an increase of \$8.85 million, for a total of \$14.15 million, in appropriated funding to implement the new animal disease traceability approach that replaces the NAIS. USDA will use \$1.9 million of the requested budget to support information technology systems to administer animal identification devices, allocate location identifiers, and manage the animal disease traceability information systems. APHIS will continue to provide the premises identification systems to States and Tribes that wish to use these systems. Planned expenditures include the contract with the National Information Technology Center (NITC) to operate and maintain these tracing systems. USDA will use approximately



\$9.6 million of the requested budget to fund field implementation including cooperative agreements with States and Tribes to implement the revised traceability plan and complete the initial purchase of low-cost tags, outreach, and other implementation activities. The remaining budget will be used to support policy and program administration.

The requested increase will enable APHIS to maintain the current level of infrastructure, and to maintain the progress that the program has made thus far. The proposed funding level more accurately reflects how much the program needs to carry out essential activities and retain the advances made to date. By helping develop more efficient animal trace back mechanisms, equipping labs to screen tests for foreign animal disease, building comprehensive surveillance systems, and increasing a field workforce to conduct surveillance, the Agency will be able to detect disease faster, minimize the spread of disease, and assist in keeping global trade markets open to U.S. animals and animal products. Further, an effective animal disease traceability system could aid in protecting market share in key export markets.

Mr. Kingston: Provide for the record a list of all states and organizations that have received NAIS and the amount and date of the funding.

Response: The information is submitted for the record.

[The information follows:]

STATES AND ORGANIZATIONS RECEIVING  
NATIONAL ANIMAL IDENTIFICATION SYSTEM FUNDING

Awardee	Award FY 2004 CCC Amount	Date Awarded	Award FY 2005 Appropriated Amount	Date Awarded
Alabama Department of Agriculture	\$115,000	Mar 2005	\$245,000	Sep 2005
Alaska Department of Natural Resources	0		34,710	Sep 2005
Arizona Department of Agriculture	0		169,000	Aug 2005
Arkansas Livestock and Poultry Commission	115,000	Jan 2005	281,000	Jul 2005
California Department of Agriculture	670,072	Nov 2004	625,000	Aug 2005
Colorado Department of Agriculture	1,214,579	Nov 2004	255,904	Sep 2005
Florida Department of Agriculture and Consumer Services	531,840	Sep 2004	273,000	Sep 2005
Georgia Department of Agriculture	77,480	Feb 2005	42,173	Sep 2005
Hawaii Board of Agriculture	0		98,316	Aug 2005

Awardee	Award FY 2004 CCC Amount	Date Awarded	Award FY 2005 Appropriated Amount	Date Awarded
Idaho State Department of Agriculture	1,164,000	Nov 2004	230,783	Aug 2005
IDairy	975,000	Sep 2007		
Illinois Department of Agriculture	130,000	Oct 2004	245,000	Sep 2005
Indiana State Board of Animal Health	106,493	Nov 2004	150,457	Sep 2005
Iowa Department of Agriculture	130,000	May 2005	410,878	Sep 2005
Kansas Animal Health Department	1,246,430	Oct 2004 May 2005	685,000	Aug 2005
Kentucky Department of Agriculture	269,093	Sep 2004	326,276	Sep 2005
Louisiana Department of Agriculture and Forestry	12,247	Sep 2004	0	
Maine Department of Agriculture, Food, and Rural Services	78,343	Sep 2004	94,000	Sep 2005
Maryland Department of Agriculture	105,000	Jun 2005	85,952	Sep 2005
Massachusetts Department of Agricultural Resources	0		95,348	Sep 2005
Michigan Department of Agriculture	120,000	Jan 2005	206,952	Sep 2005
Minnesota Board of Animal Health	434,578	Sep 2004	339,140	Sep 2005
Mississippi Board of Animal Health	153,327	Nov 2004	170,129	Sep 2005
Missouri Department of Agriculture	484,874	Sep 2004	496,973	Aug 2005
Montana Department of Livestock	431,928	Dec 2004	349,000	Aug 2005
Nebraska Department of Agriculture	125,401	Nov 2004	672,000	Aug 2005
Nevada State Department of Agriculture	97,939	Aug 2005	128,241	Aug 2005
New Hampshire Department of Agriculture, Markets, and Food	0		17,547	Sep 2005
New Jersey Department of Agriculture	100,000	Nov 2004	92,000	Sep 2005
New Mexico Livestock Board	0		244,000	Sep 2005
New York Department of Agriculture	93,000	Mar 2005	204,152	Sep 2005

Awardee	Award FY 2004 CCC Amount	Date Awarded	Award FY 2005 Appropriated Amount	Date Awarded
North Carolina Department of Agriculture and Consumer Services	111,630	Jan 2005	196,989	Sep 2005
North Dakota Department of Agriculture	515,000	Oct 2004	176,225	Sep 2005
Ohio Department of Agriculture	117,135	Nov 2004	192,560	Sep 2005
Oklahoma Department of Agriculture, Food, and Forestry	675,000	Dec 2004	629,000	Sep 2005
Oregon Department of Agriculture	0		169,322	Sep 2005
Pennsylvania Department of Agriculture	614,146	Oct 2005	257,000	Sep 2005
Puerto Rico and the U.S. Virgin Islands	0		58,593	Sep 2005
South Carolina Clemson University	186,728	Sep 2004	139,000	Sep 2005
South Dakota Animal Industry Board	505,240	Oct 2004	334,277	Aug 2005
Tennessee Department of Agriculture	130,000	Feb 2005	264,611	Sep 2005 Sep 2006
Texas Animal Health Commission	1,000,000	Nov 2004	1,038,975	Aug 2005
Tribal Nations	500,000	Various	716,870	Various
Utah Department of Agriculture and Food	149,586	Nov 2004	194,000	Sep 2005
Vermont Agency of Agriculture, Food, and Markets	84,059	Oct 2004	104,125	Sep 2005
Virginia Department of Agriculture	297,807	Feb 2005 Sep 2006	237,831	Sep 2005
Washington State Department of Agriculture	104,313	Jan 2005	206,000	Aug 2005
West Virginia Department of Agriculture	95,090	Oct 2004	108,861	Sep 2005
Wisconsin Department of Agriculture	500,000	Mar 2005	243,605	Sep 2005
Wyoming Livestock Board	361,929	Sep 2004	302,000	Sep 2005
Totals		\$14,929,287		\$12,837,775

Awardee	Award FY 2006 Appropriated Amount	Date Awarded	Award FY 2007 Appropriat ed Amount	Date Awarded
Alabama Department of Agriculture	0		\$276,000	Mar 2007
Alaska Department of Natural Resources	0		60,660	Jan 2007
Arizona Department of Agriculture	\$84,351	Jul 2006	160,200	Jan 2007
Arkansas Livestock and Poultry Commission	203,000	Aug 2006	249,300	Jan 2007
California Department of Agriculture	696,909	Dec 2006	698,080	Sep 2007
Colorado Department of Agriculture	486,293	Sep 2006	758,463	Sep 2007
Connecticut Department of Agriculture*	0		20,000	Feb 2007
Florida Department of Agriculture and Consumer Services	98,720	Sep 2006	184,510	Mar 2007
Georgia Department of Agriculture	198,899	Sep 2006	197,891	Feb 2007
Hawaii Board of Agriculture	0		61,121	Jan 2007
Idaho State Department of Agriculture	60,348	Sep 2006	267,826	Jan 2007
Illinois Department of Agriculture	141,000	Sep 2006	180,000	Sep 2007
Indiana State Board of Animal Health	80,331	Sep 2006	503,090	Sep 2007
Iowa Department of Agriculture	0		525,150	Jan 2007
Kansas Animal Health Department	0		3,564,900	Sep 2007
Kentucky Department of Agriculture	0		375,000	Sep 2007
Louisiana Department of Agriculture and Forestry	0		82,704	Sep 2007
Maine Department of Agriculture, Food, and Rural Services	21,500	Sep 2006	80,000	Feb 2007
Maryland Department of Agriculture	0		81,000	Jul 2007
Massachusetts Department of Agricultural Resources	0		80,000	Feb 2007
Michigan Department of Agriculture	0		179,000	Sep 2007

Awardee	Award FY 2006 Appropriated Amount	Date Awarded	Award FY 2007 Appropriat ed Amount	Date Awarded
Minnesota Board of Animal Health	202,957	Sep 2006	278,914	Sep 2007
Mississippi Board of Animal Health	43,294	Sep 2006	171,882	Feb 2007
Missouri Department of Agriculture	72,931	Sep 2006	0	
Montana Department of Livestock	0		251,100	Jan 2007
Nebraska Department of Agriculture	448,000	Sep 2006	672,000	Sep 2007
Nevada State Department of Agriculture	80,000	Sep 2006	76,903	Jan 2007
New Hampshire Department of Agriculture, Markets, and Food	0		35,000	Sep 2007
New Jersey Department of Agriculture	72,108	Sep 2006	80,000	Feb 2007
New Mexico Livestock Board	203,000	Sep 2006	1,206,324	Sep 2007
New York Department of Agriculture	178,791	Sep 2006	275,980	Sep 2007
North Carolina Department of Agriculture and Consumer Services	0		179,000	Feb 2007
North Dakota Department of Agriculture	0		160,856	Jan 2007
Ohio Department of Agriculture	112,786	Sep 2006	275,283	Sep 2007
Oklahoma Department of Agriculture, Food, and Forestry	166,860	Aug 2006	517,500	Jan 2007
Oregon Department of Agriculture	0		75,815	Sep 2007
Pennsylvania Department of Agriculture	142,238	Sep 2006	404,865	Sep 2007
Puerto Rico and the U.S. Virgin Islands	7,380	Sep 2006	39,811	Feb 2007
South Carolina Clemson University	141,000	Sep 2006	177,000	Feb 2007
South Dakota Animal Industry Board	0		426,000	Jan 2007
Tennessee Department of Agriculture	82,678	Sep 2006	394,073	Feb 2007 Mar 2007
Texas Animal Health Commission	201,065	Sep 2006	1,175,616	Jan 2007 Sep 2007
Tribal Nations	698,288	Various	322,400	Various
Utah Department of Agriculture and Food	0		179,000	Jan 2007

Awardee	Award FY 2006 Appropriated Amount	Date Awarded	Award FY 2007 Appropriat ed Amount	Date Awarded
Virginia Department of Agriculture	0		353,293	Sep 2007 Apr 2007
Washington State Department of Agriculture	60,854	Sep 2006	179,000	Sep 2007
West Virginia Department of Agriculture	58,942	Sep 2006	155,488	Sep 2007
Wisconsin Department of Agriculture	0		1,621,000	Sep 2007
Wyoming Livestock Board	141,000	Sep 2006	248,000	Sep 2007
Totals		\$5,185,523		\$18,516,998

Awardee	Award FY 2008 Appropriated Amount	Date Awarded	Award FY 2009 Appropriated Amount	Date Awarded
Alabama Department of Agriculture	\$165,630	Jan 2008	\$52,536	Apr 2009
Alaska Department of Natural Resources	42,400	Jan 2008	34,800	Apr 2009
Arizona Department of Agriculture	111,650	Jan 2008	141,771	Jan 2009
Arkansas Livestock and Poultry Commission	174,500	Jan 2008	167,975	Apr 2009
California Department of Agriculture	361,900	Jan 2008	296,900	Apr 2009
Colorado Department of Agriculture	263,200	Jan 2008	215,800	Apr 2009
Connecticut Department of Agriculture*	39,785	Jul 2008	60,800	Apr 2009
Florida Department of Agriculture and Consumer Services	176,645	Jan 2008	167,446	Apr 2009
Georgia Department of Agriculture	134,620	Jan 2008	102,311	Apr 2009
Hawaii Board of Agriculture	55,600	Jan 2008	46,600	July 2009
Idaho State Department of Agriculture	194,600	Jan 2008	159,572	Apr 2009
Illinois Department of Agriculture	134,620	Jan 2008	103,200	Apr 2009
Indiana State Board of Animal Health	133,872	Jun 2008	111,208	Apr 2009
Iowa Department of Agriculture	481,800	Oct 2007	272,085	Feb 2009
Kansas Animal Health Department	210,000	May 2008	196,680	July 2009

Awardee	Award FY 2008 Appropriated Amount	Date Awarded	Award FY 2009 Appropriated Amount	Date Awarded
Kentucky Department of Agriculture	280,459	Jan 2008	213,150	Apr 2009
Louisiana Department of Agriculture and Forestry	78,310	Jan 2008	64,200	Apr 2009
Maine Department of Agriculture, Food, and Rural Services	41,250	Jan 2008	0	
Maryland Department of Agriculture	53,915	Jan 2008	56,181	Apr 2009
Massachusetts Department of Agricultural Resources	59,831	Jul 2008	14,359	Aug 2009
Michigan Department of Agriculture	183,872	Jan 2008	100,404	Jan 2009
Minnesota Board of Animal Health	193,814	Jan 2008	147,298	Jul 2009
Mississippi Board of Animal Health	133,872	Jan 2008	115,618	Apr 2009
Missouri Department of Agriculture	150,956	May 2008	275,389	Apr 2009
Montana Department of Livestock	176,000	Jan 2008	144,600	Apr 2009
Nebraska Department of Agriculture	470,400	Jan 2008	385,700	Apr 2009
Nevada State Department of Agriculture	57,400	Jan 2008	47,100	Apr 2009
New Hampshire Department of Agriculture, Markets, and Food	0		0	
New Jersey Department of Agriculture	59,831	Jan 2008	45,471	Apr 2009
New Mexico Livestock Board	246,350	Jan 2008	202,000	July 2009
New York Department of Agriculture	183,400	Jan 2008	156,433	Apr 2009
North Carolina Department of Agriculture and Consumer Services	133,872	Jan 2008	95,711	Apr 2009
North Dakota Department of Agriculture	193,900	Jan 2008	167,200	Apr 2009
Ohio Department of Agriculture	206,418	Jan 2008	171,470	Jan 2009
Oklahoma Department of Agriculture, Food, and Forestry	362,200	Jan 2008	297,006	Jan 2009
Oregon Department of Agriculture	192,194	Apr 2008	158,886	June 2009

Awardee	Award FY 2008 Appropriated Amount	Date Awarded	Award FY 2009 Appropriated Amount	Date Awarded
Pennsylvania Department of Agriculture	139,087	Feb 2008	105,691	Jul 2009
Puerto Rico and the U.S. Virgin Islands	19,903	Jan 2008	15,415	Jan 2009
South Carolina Clemson University	132,377	Jan 2008	100,550	Apr 2009
South Dakota Animal Industry Board	298,200	Jan 2008	252,900	Apr 2009
Tennessee Department of Agriculture	209,000	Jan 2008	156,817	Apr 2009
Texas Animal Health Commission	756,000	Jan 2008	619,900	Apr 2009
Tribal Nations	375,540	Various	130,000	Various
Utah Department of Agriculture and Food	125,300	May 2008	102,700	June 2009
Vermont Agency of Agriculture, Food, and Markets	0		29,220	Apr 2009
Virginia Department of Agriculture	207,126	Jan 2008	181,247	Apr 2009
Virgin Islands Department of Agriculture	40,000	Jan 2008	40,000	Aug 2009
Washington State Department of Agriculture	240,800	Jan 2008	197,400	Apr 2009
West Virginia Department of Agriculture	132,377	Apr 2008	109,953	Jan 2009
Wisconsin Department of Agriculture	265,468	Jan 2008	122,192	Jan 2009
Wyoming Livestock Board	173,600	Jan 2008	142,400	July 2009
Totals		\$9,253,844		\$7,294,245

The following cooperative agreements support the framework announced on February 5, 2010.

Awardee	Award FY 2010 Appropriated Amount	Date Awarded
Alabama Department of Agriculture	\$44,126	Apr 2010
Alaska Department of Natural Resources	26,000	May 2010
Arizona Department of Agriculture	105,000	Apr 2010



Awardee	Award FY 2010 Appropriated Amount	Date Awarded
Arkansas Livestock and Poultry Commission	225,000	Apr 2010
California Department of Agriculture	217,000	Apr 2010
Colorado Department of Agriculture	160,000	Apr 2010
Connecticut Department of Agriculture*	53,081	Apr 2010
Florida Department of Agriculture and Consumer Services	142,755	Apr 2010
Georgia Department of Agriculture	76,733	Apr 2010
Hawaii Board of Agriculture	35,000	Apr 2010
Idaho State Department of Agriculture	118,000	Apr 2010
Illinois Department of Agriculture	77,250	Apr 2010
Indiana State Board of Animal Health	93,500	Jul 2010
Iowa Department of Agriculture	200,000	Apr 2010
Kansas Animal Health Department	146,000	Apr 2010
Kentucky Department of Agriculture	179,724	Apr 2010
Louisiana Department of Agriculture and Forestry	48,000	Apr 2010
Maine Department of Agriculture, Food, and Rural Services	25,853	Sep 2010
Maryland Department of Agriculture	42,228	Apr 2010
Massachusetts Department of Agricultural Resources	10,913	Jun 2010
Michigan Department of Agriculture	84,659	Apr 2010
Minnesota Board of Animal Health	111,946	Apr 2010
Mississippi Board of Animal Health	93,726	Apr 2010
Missouri Department of Agriculture	201,000	Apr 2010
Montana Department of Livestock	106,000	Apr 2010
Nebraska Department of Agriculture	280,000	Apr 2010

Awardee	Award FY 2010 Appropriated Amount	Date Awarded
Nevada State Department of Agriculture	35,000	Apr 2010
New Jersey Department of Agriculture	34,557	Jun 2010
New Mexico Livestock Board	150,000	Apr 2010
New York Department of Agriculture	118,000	Apr 2010
North Carolina Department of Agriculture and Consumer Services	71,784	Apr 2010
North Dakota Department of Agriculture	124,000	Apr 2010
Ohio Department of Agriculture	138,455	Apr 2010
Oklahoma Department of Agriculture, Food, and Forestry	215,000	Apr 2010
Oregon Department of Agriculture	118,000	Apr 2010
Pennsylvania Department of Agriculture	67,014	Apr 2010
Puerto Rico and the U.S. Virgin Islands	12,998	Apr 2010
Rhode Island Department of Environmental Management Division of Agriculture	25,000	Jun 2010
South Carolina Clemson University	76,418	Apr 2010
South Dakota Animal Industry Board	189,000	Apr 2010
Tennessee Department of Agriculture	119,178	Apr 2010
Texas Animal Health Commission	450,000	Apr 2010
Tribal Nations	187,300	Various
Utah Department of Agriculture and Food	77,000	May 2010
Vermont Agency of Agriculture, Food, and Markets	35,013	Jun 2010
Virginia Department of Agriculture	152,824	Apr 2010
Virgin Islands Department of Agriculture	33,145	Aug 2010
Washington State Department of Agriculture	146,000	Apr 2010

Awardee	Award FY 2010 Appropriated Amount	Date Awarded
West Virginia Department of Agriculture	89,616	Apr 2010
Wisconsin Department of Agriculture	103,030	Apr 2010
Wyoming Livestock Board	50,000	Sep 2010
Totals	\$5,721,825	

Note: The table reflects data based on a review conducted of all cooperative agreements, to date. Therefore, data may vary from information previously reported.

Mr. Kingston: What level of funding in the FY 2012 request is planned for cooperative agreements related to animal/premises identification?

Response: Of the \$14.15 million requested for animal disease traceability in FY 2012, USDA will use \$9.6 million for field implementation including \$6.1 million for cooperative agreements to assist States and Tribes in implementing animal traceability.

Mr. Kingston: Please describe in more detail how the new animal disease traceability system will work and explain how APHIS will ensure quality data. Also, describe a scenario where the animal disease traceability system would work and where such a system may fall short.

Response: APHIS is proposing to establish traceability regulations only for livestock moving interstate. The purpose of this proposed rule is to improve the ability to trace livestock in the event disease is found. This will benefit ranchers and farmers by reducing the time their herds and flocks might stay under movement restrictions; eliminate or reduce the cost of additional testing and treatment; and more quickly restoring lost markets, domestically and internationally. It will benefit the Federal and States governments by lowering the costs of conducting traceback and enforcing quarantines. A focused traceback-made possible by a flexible approach that empowers rather than burdens producers-narrows the search and restores stability to markets.

The United States does not currently have an overarching animal disease traceability program integrated to meet the needs of all species and disease programs. Many of our animal disease program regulations, such as those for bovine tuberculosis and brucellosis, contain components of a traceability program, e.g., requirements for an animal moving interstate to be officially identified and accompanied by documentation recording, among other things, the animal's official identification number and the locations from and to which it is being moved. We will leverage the best of these requirements, such as existing identification methods and devices to reduce the burden on producers. This rulemaking is intended to address animal disease traceability gaps in the regulations and enhance our ability to safeguard animal health.

The largest traceability gaps in our regulations occur with cattle, and, consequently, the proposed identification and documentation requirements

rule would have more impact on cattle than on other species. To minimize the impacts of those requirements, we are proposing to phase in those requirements for cattle over time.

To further lessen any burden from the regulations, we would specify that while an official eartag is the authorized means for officially identifying individual cattle moved interstate, other forms of identification, such as brands, tattoos, and breed registry certificates, could be used if agreed upon by animal health officials in the shipping and receiving States or Tribes. Moreover, with respect to eartags, there are a number of different tags that could be used, ranging from simple visual tags to radio frequency tags that facilitate animal tracking. APHIS would supply metal eartags and eartag applicators to States or Tribes free-of-charge for distribution to producers to the extent resources allow.

For species other than cattle, the proposed rule largely maintains and builds on the identification requirements of existing disease program regulations.

The proposed rule does not prescribe identification or documentation requirements to be used for livestock moving within any State or Tribal jurisdiction, nor does it prescribe methods or systems that States or Tribes must use in order to trace animals.

In regard to where the system might fall short, it does not have as many elements of traceability as a more elaborate system might. The program we propose would apply only to the species listed and only when they are moved interstate. It would not require tracking of movements before or after an interstate movement. Therefore, while it will enhance our ability to trace animals for disease purposes more quickly and efficiently, it will not provide full traceability for each animal. There will be times when we will still need to rely on herd records, which may not be readily available or complete. Failures also could arise as a result of noncompliance or illegal activities, such as falsifying documents or moving livestock interstate without the required identification and documentation. APHIS intends to work actively with States, Tribes, and industry to enforce the regulations when they become effective.

APHIS developed the framework for the proposed rule with input from a State-Tribal-Federal working group, Tribal consultations, discussions with producers and industry, and feedback received in seven public meetings held during the spring and summer of 2010. APHIS intends to continue to engage the States, Tribes, and industry as it moves forward with the rulemaking and its implementation. In particular, APHIS intends to consult with an advisory group on outstanding matters.

Mr. Kingston: Please provide a table with the percentage of registered premises per state.

Response: APHIS no longer regularly tracks the percentage of premises registered in the national premises repository. Although we provide the service to individual States that desire to use the repository for their purposes, premises identification is not the basic building block under the new approach and we are not measuring the program on that metric. The new traceability approach will give States and Tribes the flexibility to issue location identifiers and maintain that information at the State and Tribal level. To help address producers' concerns about confidentiality, producer

data is maintained at the discretion of the State and Tribe. The new approach allows State and Tribes to identify premises, if they elect to do so, in a manner that works best for them.

Mr. Kingston: Please provide a table showing the projected investment in animal disease traceability broken down by federal, state, tribal, or other.

Response: As a result of focusing on interstate movement of animals, each State and Tribal Nation will determine the specific approaches and solutions to meet basic animal disease traceability performance measures based on the needs of their local producers. USDA has committed to help fund the implementation of the traceability regulation requirements. USDA expects to provide up to 80 percent of the funds necessary to support the activities associated with the traceability regulation for the interstate movement of livestock. States and Tribes will have additional costs for the administration of traceability pertaining to intrastate movements. These activities will be determined by each State and Tribe. Therefore, State and Tribal costs will vary based on the livestock industry in each jurisdiction and USDA cannot predict these costs at this time.

The table below represents Federal costs invested in animal disease traceability.

[The information follows:]

FEDERAL ANIMAL DISEASE TRACEABILITY FUNDING INVESTED  
(Dollars in Millions)

Fiscal Year	Appropriated	CCC	Total
2004	0	\$18.7	\$18.7
2005	\$32.9	0	32.9
2006	33.0	0	33.0
2007	33.1	0	33.1
2008	9.7	0	9.7
2009	14.5	0	14.5
2010	5.3	0	5.3
2011(est)	5.3	0	5.3
2012(est)	14.2	0	14.2
Total	\$148	\$18.7	\$166.7

#### EMERGENCY PROGRAM FUNDING

Mr. Kingston: For the record, provide a five-year history of funds that have come from the Commodity Credit Corporation for emergency outbreaks, and put it into two categories: the first would be expenditures to combat pest and/or disease outbreaks that are indigenous to the United States, and the second would be those expenditures that have been made to combat pest and/or disease outbreaks that have been "imported" to the U.S.

Response: The information is submitted for the record.

[The information follows:]

ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
EMERGENCY PROGRAM FUNDING  
(Dollars in Thousands)

Fiscal Year	Emergency	Indigenous	Imported	Total
2006	Bovine Spongiform Encephalopathy	--	\$52,393	
	Emerald Ash Borer	--	10,944	
	Mediterranean Fruit Fly	--	4,366	
	Mexican Fruit Fly	--	3,902	
	Potato Cyst Nematode	--	2,660	
	Rabies	\$2,309	--	
	Tuberculosis	9,735	--	
	Total (a)	12,044	74,265	\$86,309
2007	Emerald Ash Borer	--	\$13,693	
	Infectious Salmon Anemia	--	337	
	Light Brown Apple Moth	--	12,019	
	Potato Cyst Nematode	--	11,066	
	Tuberculosis	\$4,902	--	
	Total (b)	4,902	37,115	\$42,017
2008	Cattle Fever Tick	\$5,233	--	
	Light Brown Apple Moth	--	\$74,539	
	Tuberculosis	22,928	--	
	Total (c)	28,161	74,539	\$102,700
2009	Asian Longhorned Beetle	--	\$24,533	
	Cattle Fever Tick	\$4,894	--	
	Total	4,894	24,533	\$29,427
2010	Asian Longhorned Beetle	--	\$41,451	
	Grasshopper	\$10,735	--	
	Total (d)	10,735	41,451	\$52,186

## NOTES:

- (a) Of the FY 2006 total, \$15.2 million was redirected from other emergency programs where balances existed.
- (b) Of the FY 2007 total, \$18.1 million was redirected from other emergency programs where balances existed.
- (c) Of the FY 2008 total, \$7.0 million was redirected from other emergency programs where balances existed.
- (d) Of the FY 2010 total, \$16.07 million was redirected from other emergency programs where balances existed.

## FUND TRANSFERS TO THE OCIO OR CCE

Mr. Kingston: Did the agency transfer any funds to the OCIO or CCE in fiscal year 2009 or 2011? If so, when, what for, and in what amount?

Response: APHIS did not transfer any funds to the Office of the Chief Information Officer or Common Computing Environment during fiscal years 2009 or 2010. In addition, the Agency is not planning to transfer any funds in FY 2011.

## EMERGENCY PROGRAM FUNDING

Mr. Kingston: For each APHIS program with extended availability of funds, what were the carryover amounts from fiscal year 2009 into 2010? And from fiscal year 2010 into 2011?

Response: The information is submitted for the record.

[The information follows:]

ANIMAL AND PLANT HEALTH INSPECTION SERVICE  
PROJECTED CARRYOVER OF FUNDING

Line Item - Program	Carryover into FY 2010	Carryover into FY 2011
Animal Health Monitoring and Surveillance - Traceability	\$10,369,037	\$4,557,941
APHIS Information Technology Infrastructure	106,324	172,505
Avian Influenza a/	20,275,048	22,209,593
Cotton Pests	1,417,052	1,662,653
Emerging Plant Pests	41,776,564	41,004,209
Asian Long-horned Beetle	1,963,614	9,340,961
Citrus Health Response	7,237,687	1,860,658
Glassy-winged sharpshooter	4,505,833	5,022,178
Sudden Oak	231,527	591,962
Karnal Bunt	718,260	1,191,941
Emerald Ash Borer	16,439,533	19,058,601
Miscellaneous Pests	4,935,356	995,410
Light Brown Apple Moth	361,621	436,998
Pale Cyst Nematode	4,290,067	1,688,403
Sirex	1,093,066	817,097
Fruit Fly Exclusion and Detection	7,218,770	3,637,380
Grasshopper	1,087,134	992,735
National Veterinary Stockpile	5,128,834	3,945,350
Plum Pox b/	224,393	45,836
Scrapie c/	3,617,844	4,542,639
Screwworm	5,707,135	2,289,972
Wildlife Services Methods Development	216,774	5,201
Wildlife Services Operations - Aviation Safety	707,665	588,016
TOTAL	\$139,629,138	\$126,658,239

a/ Includes \$10.5 million identified for indemnities only.

b/ The FY 2010 carryover was from multi-year funding appropriated in FY 2009. The FY 2011 carryover was from the newly established no year account appropriated in FY 2010.

c/ Available for indemnities only.

Mr. Kingston: For CCC funds, approved for APHIS emergencies, what were the carryover amounts into FY 2009 and 2010?

Response: The information is submitted for the record.

[The information follows:]

COMMODITY CREDIT CORPORATION CARRYOVER FUNDING		
Program	Authority Carried Over into FY 2009	Authority Carried Over into FY 2010
Asian Longhorned Beetle	\$418,312	\$1,347,733
Avian Influenza	6,703,805	6,357,916
Bovine Spongiform Encephalopathy	2,450,089	3,018,446
Bovine Tuberculosis	14,847,141	7,900,257
Cattle Fever Tick	1,150,670	1,277,716
Chronic Wasting Disease	3,852,990	3,852,990
Citrus Canker	27,926	0
Classical Swine Fever	24,887	24,887
Emerald Ash Borer	2,264,745	25,028
Exotic Newcastle Disease	2,197,425	2,242,304
Glassy-winged Sharpshooter /Pierce's Disease	396	396
Infectious Salmon Anemia	942,626	979,189
Karnal Bunt	210,186	210,186
Light Brown Apple Moth	43,528,997	20,875,041
Mediterranean Fruit Fly	458,110	354,380
Mexican Fruit Fly	78,214	562
Mormon Cricket/Grasshopper	450,000	262,024
National Animal Identification System	730,670	1,261,769
Plum Pox	2,840	2,840
Potato Cyst Nematode	1,537,300	220,766
Pseudorabies	2,931,705	2,931,705
Scrapie	2,498,235	2,498,235
Spring Viremia of Carp	2,878,859	2,878,859
Sudden Oak Death	1,354	1,354
Vermont Sheep	92,886	107,684
Total	\$90,280,368	\$58,632,267



## BIOTECHNOLOGY REGULATORY SERVICES

Mr. Kingston: For Biotechnology Regulatory Services, what was the FY 2009 and 2010 spending levels and the amounts planned for FY 2011 and 2012? Are any reprogrammings or transfers included in those amounts?

Response: The information is submitted for the record.

[The information follows:]

BIOTECHNOLOGY REGULATORY SERVICES				
EXPENDITURES				
(Dollars in Thousands)				
	FY 2009	FY 2010	FY 2011 (est.)	FY 2012 (est.)
Funding	\$12,877	\$13,014	\$13,322	\$25,135

There are no reprogrammings or transfers included in these amounts.

Mr. Kingston: What are the performance goals for BRS? Please describe BRS functions and how the increases requested will improve performance for each. Be specific as to how measures of performance will be used in the program.

Response: The Biotechnology Regulatory Services' (BRS) program goal is to protect and enhance U.S. agricultural and natural resources using a science-based regulatory framework to ensure the safe importation, interstate movement, and environmental release of genetically engineered (GE) organisms. BRS accomplishes this through operational functions including: compliance oversight; determining nonregulated status through the petition process, which includes preparing environmental and risk analyses; biotechnology regulatory capacity building and international activities; and policy coordination.

APHIS is requesting an overall increase of \$12.072 million and 29 staff years in FY 2012. This funding will allow APHIS to: assure efficient regulatory approvals by improving and expanding the high-quality risk and environmental analyses required to address complex regulatory decisions; improve and expand compliance oversight to domestic, regulated field trials; improve emergency response and safeguarding capabilities; strengthen trade-related initiatives related to asynchronous approvals of GE products; and enhance transparency of the regulatory process.

The review time for petition requests received by APHIS to deregulate new GE products has increased over the years. The process can take one to three years to complete depending on the complexity of the GE product under consideration and the extent of public participation. The petition process itself includes a variety of inputs including in-depth environmental analyses, plant pest risk analyses, *Federal Register* notices, and the

opportunity for public comment, among others. The funds requested for this activity will help improve APHIS' ability to create timely and high-quality documents in support of National Environmental Policy Act (NEPA) requirements through increased staff capacity, training in NEPA processes and procedures, collaboration with external experts, increased outreach to stakeholders and interested parties, implementation of a pilot project on applicant funded environmental documents, and outsourcing select environmental analyses to a contractor that specializes in such work. APHIS seeks to reduce the time required to complete environmental impact statements while strengthening the information contained within the document, and allow APHIS to make regulatory decisions more efficiently and effectively. With these funds, APHIS will make six determinations on nonregulated status in FY 2012, doubling the number of 3 GE organisms that were deregulated in FY 2010.

The number of regulated field trial locations has grown almost fivefold over the last 5 years while the resources available to conduct inspections of those field trials have remained relatively unchanged. As the biotechnology industry continues to grow and develop new products, the APHIS program is regulating and evaluating GE organisms with new and novel traits as well as larger acreage field test permit sites. APHIS will strengthen the biotechnology compliance program through the Biotechnology Quality Management System (BQMS) Program. This program is a voluntary compliance assistance program to help biotechnology researchers and companies develop plans and manage their operations to comply with biotechnology regulatory requirements. APHIS seeks to increase the number of participants in the BQMS program from 5 in FY 2010 to over 20 in FY 2012. APHIS also aims to double the number of compliance inspections conducted annually from 528 in FY 2010 to over 1,000 in FY 2012 while maintaining a 95 percent compliance rate and working towards the prevention of unauthorized releases of GE plants.

APHIS' international biotechnology activities are expected to lead to increased confidence in our regulatory system by trading partners, stakeholders, and the public, and expand markets for U.S. agricultural biotechnology products overseas. APHIS is working to improve the regulatory capacity of developing countries. With the requested increase, APHIS will be better positioned to respond to the growing number of biotechnology regulatory capacity building requests received from developing countries. Developing countries often lack transparent, science-based regulations and credible risk analysis procedures for regulating and assessing foods produced through genetic engineering methods. By fostering the safe development of agricultural biotechnology products in developing countries, APHIS will promote increased public confidence in biotechnologically-derived products. By working to improve the regulatory capacity of developing countries around the world, APHIS can reasonably expect trading partners to use sound science in their regulatory decisions regarding our products. On the international front, APHIS seeks to further develop its policy on the importation of GE organisms, including monitoring the emergence of agricultural biotechnology products throughout the world. To help avert asynchronous approvals of GE products, APHIS will accelerate bilateral discussions with regulators in key markets, and develop guidance documents and analysis to support NEPA and Endangered Species Act compliance, and improve the number of plant lines deregulated from 81 in FY 2010 to 91 in FY 2012.

## BACKLOG OF APPLICATIONS

Mr. Kingston: Is there a backlog of applications for export? Is there a backlog for import applications? Please be specific.

Response: APHIS routinely receives requests for assistance from U.S. agricultural producers to gain access to foreign markets. These requests range from resolving certification issues associated with shipments held at foreign ports of entry to technical sanitary or phytosanitary (SPS) disputes that may require extensive bilateral or multilateral negotiation. Although APHIS works on all export petitions received, market access decisions ultimately rest with the importing country. Currently, there are 49 outstanding requests for assistance in gaining new market access for U.S. plant products (such as fruits, vegetables, nursery stock, and seeds) and 222 for animals and animal products. In many cases, export requests for animal products include issues that fall under the authority of other Agencies such as USDA's Food Safety Inspection Service (FSIS), USDA's Agricultural Marketing Service (AMS), the Food and Drug Administration (FDA), and others, and these requests can be particularly difficult to resolve. One long-standing example is APHIS' ongoing effort to work with Japan to remove its bovine spongiform encephalopathy-related restrictions on U.S. beef. In all cases, APHIS advocates science-based resolutions to the issues and supplies information to USDA's Foreign Agricultural Service, the U.S. Trade Representative's Office, and other offices to help resolve the situations. Continued industry interest and support for longstanding requests is also crucial, as importing countries require information that the industry is often in the best situation to provide.

APHIS is successful in resolving a number of requests each year and in retaining markets that are threatened when new pests or disease outbreaks occur in the United States. For example, APHIS was successful in resolving 108 SPS issues in FY 2010 resulting in markets opened, retained, expanded worth \$2.4 billion. Success in gaining and/or retaining market access is sometimes incremental and requires long-term commitment on the part of APHIS and the interested industry. APHIS works diligently with U.S. stakeholders to resolve these issues.

APHIS also receives requests for approval to import agricultural products into the United States. For plant products, we require that a pest risk assessment (PRA) be conducted to evaluate the potential risks that the commodity might pose. Once we complete the PRA, we will determine whether the pest risks identified can be mitigated effectively by various measures such as treatments and inspections. APHIS bases its decisions on a thorough, accurate PRA and ensures that information and conclusions are consistent with U.S. policies and standards for imports. APHIS also engages the stakeholders throughout the process and invites the public to comment by publishing the proposed rule and PRA in the *Federal Register* for public comment. Once we have determined that a product can be safely imported, we amend our import regulations to allow the importation; this process can take several years. At this time, there are approximately 400 pending requests for access to the U.S. market for foreign fruits and vegetables. As of the end of March 2011, there are 58 completed PRAs that have become part of the supporting documentation being utilized in the rulemaking process. Approximately 75 PRAs are in the process of being developed. To ensure that our trading partners are aware of the information required to fully evaluate import requests, we published a *Federal Register* notice in May 2006 detailing our requirements for import requests related to plant products.

On the animal and animal product side, APHIS also approaches import decisions using a science-based evaluation of the risk. In this regard, APHIS recognizes that risk may be tied to factors that are not always defined by national political boundaries. Accordingly, APHIS regulates imports on a regional basis and assesses disease risk within defined regions. APHIS evaluates both requests for regionalization with regard to status for particular pests and diseases and requests to import specific products or types of animals. APHIS is currently working on 19 risk analyses related to requests by foreign countries for regionalization or to export specific animals and animal products to the United States. Once the risk assessment is complete, APHIS also makes these risk assessments available to the public and publishes notices of their availability in the *Federal Register* with public comment periods. APHIS' decisions are made on the basis of animal health issues. Other Agencies (FSIS, FDA, AMS, and others) also have authority over the import of animal products, and their concerns must be resolved before a product can be imported into the United States.

#### OVERSEAS ANIMAL HEALTH SPECIALISTS

Mr. Kingston: Please describe in detail how animal health specialists placed overseas to track global animal health events are a critical part of APHIS' mission. What is the base amount for these purposes? How many staff will be hired, and how much was spent for fiscal years 2009, 2010 and estimated 2011?

Response: APHIS monitors agricultural pests and diseases throughout the world as a part of its pest exclusion efforts. Assessing threats from overseas situations helps inform APHIS' regulatory import policy and allows the Agency to update the import inspection policies and guidelines provided to the Department of Homeland Security's Customs and Border Protection. APHIS collects this information through a variety of methods, such as personnel on the ground in other countries (including dedicated agricultural safeguarding specialists as well as the agricultural attachés that facilitate trade) and through the use of open source software that searches media and other publications for news of emerging agricultural health threats. APHIS currently funds six safeguarding specialist positions that cover both animal and plant health information. These positions are located in the Dominican Republic, Trinidad and Tobago, Brazil (2 positions), and South Africa (2 positions). Agricultural Quarantine Inspection user fees fund the positions (one is vacant as of March 2011) and cost approximately \$1 million annually.

#### OIG AUDITS

Mr. Kingston: What improvements is APHIS making in response to deficiencies noted by the OIG audits of the program?

Response: The information is submitted for the record.

[The information follows:]

STATUS OF OFFICE OF INSPECTOR GENERAL (OIG) AUDITS ON APHIS PROGRAM	
- IN PROGRESS AND/OR STILL OPEN AS OF MARCH 10, 2011 -	

05099-29-AT Citrus Crop Indemnity Payments Resulting from Hurricane  
Wilma in Florida

The OIG report is still under development and has not  
been issued yet.

24601-09-KC Food and Safety Inspection Service N60 Testing of E-Coli

OIG's audit recommendations are specific to Food and  
Safety Inspection Services only.

33002-04-SF Animal Care Inspection of Problematic Dealers

APHIS developed an action plan to address the OIG's audit  
recommendations as well as to ensure that APHIS enforces  
the Animal Welfare Act (AWA) to the fullest extent  
possible. The objective of the action plan is to improve  
the compliance of dog dealers with the AWA, particularly  
those who are repeat violators.

APHIS' action plan includes a shift from an education  
focus for problematic dealers to an enforcement focus,  
improving inspector performance, and seeking legislation  
regarding the Internet sale of dogs. APHIS is working to  
have full implementation of the plan by September 2011.  
The OIG has determined that APHIS can use its existing  
authority to publish a rule regulating the Internet sale  
of dogs. In addition, APHIS has drafted a proposed rule  
on the importation of live dogs, and expects it to be  
published in summer 2011.

APHIS is also developing a new Investigation Tracking and  
Enforcement Management System that, when implemented,  
will significantly improve APHIS' oversight and  
monitoring of AWA-related investigations and enforcement  
actions.

33601-02-KC Oversight of Designated Qualified Persons Enforcing the

## Horse Protection Act

The OIG's recommendations for the Horse Protection Program included improving inspections of show horses, strengthening penalties for those who are found in violation, and improving controls so that violators that are suspended do not participate in shows.

APHIS agrees with the findings issued in the OIG's report and is actively taking steps to strengthen the horse protection program. For example, APHIS is developing proposed regulations to require that designated qualified persons (DQPs), who the horse industry hires to conduct inspections, be licensed with the Agency and independent from the horse show industry. Revising the regulation will ensure that there will not be a conflict of interest between the DQPs who are inspectors at one show and exhibitors in another show, and that the DQP will be directly accountable to APHIS.

APHIS is also holding the DQPs and the horse show management more accountable for complying with the laws and regulations. APHIS is pursuing the authority to directly discipline the DQPs who are found to be in violation, and is ensuring that horse show management actively identify individuals currently on suspension because of previous Horse Protection Act violations and prohibit their participation in show events.

To further deter the act of soring of horses, APHIS has requested an increase in the President's budget to enable the Agency to have a significantly greater presence at horse shows.

33601-12-CH Effectiveness of the Smuggling, Interdiction and Trade Compliance Unit

The OIG report is still under development and has not been issued yet.

33701-01-AT Follow-up APHIS Implementation of the Select Agent or Toxin Regulations

The OIG report is still under development and has not been issued yet.

50099-46-AT     USDA Payments for 2005 Citrus Canker Tree Losses

The OIG report is still under development and has not been issued yet.

50099-84-HY     USDA Response to Colony Collapse Disorder

The OIG report is still under development and has not been issued yet.

50601-01-ER     USDA Controls Over Shell Egg Inspections

OIG audit's recommendations are specific to Food and Safety Inspection Services only.

50601-02-ER     Effectiveness of the Department's Recent Efforts to Enhance Agricultural Trade

The OIG report is still under development and has not been issued yet.

50601-12-CH     USDA's Controls over the Importation and Movement of Live Animals

In response to the audit recommendations, APHIS has implemented processes to improve tracking and analysis of noncompliant shipments. Where possible, the Agency is utilizing automated systems to record and track rejected shipments from both Canada and Mexico. This data allows APHIS to review and analyze trends that may be occurring regarding shipments that are rejected. The Agency has also improved communications and distributes regular reports among government agencies (APHIS, Food and Safety Inspection Services, and Customs and Border Protection) and between the United States and Canada. In addition, APHIS reviewed horse importation procedures with Canada and revised procedures for rejecting shipments of animals from Mexico. In response to the audit recommendations,

APHIS has implemented processes to improve tracking and analysis of noncompliant shipments. Where possible, the Agency is utilizing automated systems to record and track rejected shipments from both Canada and Mexico. This data allows APHIS to review and analyze trends that may be occurring regarding shipments that are rejected. The Agency has also improved communications and distributes regular reports among government agencies (APHIS, Food and Safety Inspection Services, and Customs and Border Protection) and between the United States and Canada. In addition, APHIS reviewed horse importation procedures with Canada and revised procedures for rejecting shipments of animals from Mexico.

50601-13-AT Department of Agriculture's Progress in Enhancing Agriculture Biosecurity Through Diagnostic and Reporting Networks

The OIG report is still under development and has not been issued yet.

50601-13-CH Compliance with OIG Renewable Energy Program Audit Recommendations

The OIG report is still under development and has not been issued yet.

50601-16-TE Controls over Genetically Engineered Animal and Insect Research

The OIG report is still under development and has not been issued yet.

50601-17-TE Controls over Genetically Engineered Food and Agricultural Imports

The Department has provided the overall strategy with implementation plan for monitoring the development of transgenic plants and animals in foreign nations. USDA's strategy integrates ongoing departmental actions, including (a) coordinating among USDA agencies and other Federal agencies, (b) working with international entities like Codex Alimentarius, (c) cooperating bilaterally with other countries invested in biotechnology research, (d)



performing vulnerability assessments so that it can prioritize risks and develop appropriate screening measures, and (e) working with, and soliciting input and feedback from, nongovernmental organizations, including various trade organizations.

USDA will utilize the information gathered as per the Monitoring Plan and consult to identify when actions may be necessary and if so what actions would be appropriate to address any risks that particular new foreign transgenic plants or animals might pose to the United States.

#### WILDLIFE SERVICES

Mr. Kingston: How would the cut of \$13.3 million in Wildlife Services affect state wildlife management programs? How many APHIS positions would be cut as a result of the reduction? How will airport safety be impacted by this reduction and by how much?

Response: At this time, we are unable to provide information on specific impacts to state wildlife management programs and positions.

Cooperators fund all airport safety activities through reimbursable agreements, so they would not be affected by a reduction in appropriated funding.

#### BOVINE SPONGIFORM ENCEPHALOPATHY

Mr. Kingston: What is the status of the BSE sampling program, including the number of samples taken in fiscal years 2009 and 2010 as well as estimates for fiscal year 2011.

Response: APHIS continues to conduct surveillance for bovine spongiform encephalopathy (BSE), focusing on targeted populations at higher risk for the disease. In FY 2009, APHIS tested 44,217 samples for BSE. In FY 2010, APHIS tested 44,301 samples for BSE. No cases of BSE were detected in either year. APHIS' BSE plan for FY 2011 includes the collection of no less than 40,000 samples. This level of testing allows the detection of one case of BSE in one million adult cattle with 95 percent confidence and far exceeds the standards set by the World Organization for Animal Health. APHIS' funding request for FY 2012 will allow for the collection of the targeted number of samples.

#### HOMELAND SECURITY AND FOOD AND AGRICULTURE DEFENSE

Mr. Kingston: Please describe the general activities and dollars for APHIS' involvement in the area of Homeland Security and/or food defense, including the associated listing by newly proposed line item. What is the total requested for select agents?

Response: APHIS' FY 2012 budget request includes approximately \$422 million related to USDA's homeland security and food and agriculture defense efforts. Of this amount, approximately \$197 million is for gathering information, assessing potential agricultural threats, and responding to those threats when necessary, including approximately \$5.1 million for the select agents program. This includes assessing plant and animal health monitoring and surveillance data and preparing, detecting, and responding to the intentional and unintentional agricultural threats. These activities are captured as portions of the animal health and plant health commodity line items, as well as the emergency preparedness and response line item, within the Safeguarding and Emergency Preparedness and Response category of the new budget structure.

Another \$220 million of the amount for homeland security and food and agriculture defense efforts is aimed at excluding and reducing potential threats entering our borders through the Agency's Agricultural Quarantine Inspection (AQI) program and analyzing data streams regarding agricultural imports. The AQI program encompasses a variety of activities designed to address the agricultural pest risks posed by international travel and trade. These activities include developing regulatory import policies to protect the health of U.S. agriculture and ecosystems, conducting off-shore risk reduction activities such as foreign commodity preclearance programs for specific products, and treating arriving containers and cargo, among others. The AQI program is funded by appropriations and a full-cost user fee for certain activities. The appropriated funding is captured under the Safeguarding and Emergency Preparedness and Response category, and the other appropriated activities related to imports are captured within the Safe Trade and International Technical Assistance category within the new budget structure.

The remaining \$5 million is related to implementing measures to ensure continued, efficient mission operations and protection for employees from disruption, degradation, or destruction of facilities, including our laboratories. APHIS works with the other Federal agencies and local law enforcement to ensure that the appropriate Agency takes the lead, shares costs, and integrates security in co-locations of employees. The physical and operational security line item is captured in the Agency Management category within the new budget structure.

#### SAFE TRADE AND INTERNATIONAL TECHNICAL ASSISTANCE

Mr. Kingston: What will the \$2.1 million increase requested for Safe Trade and International Technical Assistance accomplish?

Response: APHIS is requesting \$1.5 million for the Agriculture Import/Export program to establish a dedicated Lacey Act staff and \$600,000 for the Overseas Technical and Trade Operations (OTTO) program to have a dedicated staff for coordinating capacity building projects in developing countries.

As amended by the 2008 Farm Bill, the Lacey Act makes it illegal to import any plant (with limited exceptions) taken or traded in violation of domestic or international laws and requires an import declaration for imported shipment of regulated products. The declaration must contain the scientific name of the plant, value of the importation, quantity of the

plant, and name of the country where the plant was harvested. The scope of the declaration requirement covers a broad range of products from lumber and wood pulp to sporting goods, pharmaceuticals, and planes. APHIS and cooperating Agencies developed an implementation plan for a phased-in enforcement process with the most complex products being added in later phases. APHIS is currently receiving approximately 8,500 declarations per week. Approximately 1,000 of these are paper declarations that require significant resources to analyze and store. Electronic declarations can be made only through licensed Customs brokers at this time. Currently, APHIS is able to analyze only a limited number of the declarations. APHIS would use the funds to hire dedicated staff for Lacey Act activities and implement a web-based system for declarations that could be accessed by any individual through the Internet, helping to eliminate the need for paper-based declarations.

APHIS has experienced a continual increase in the volume of international capacity building requests. The requested topics vary from biotechnology, regulatory processes and policy, pest risk analysis, epidemiology, wildlife control and surveillance, foreign animal disease, diagnostics, and other aspects of animal and plant quarantine and inspection. These requests come from other U.S. government agencies, foreign governments, and international organizations. Key challenges for APHIS include managing and prioritizing the volume of requests, and documenting the results of these activities to best advise decision makers about best practices and priorities for these efforts.

APHIS is requesting \$600,000 to have a dedicated staff to coordinate technical assistance and provide training to developing countries in order to strengthen their regulatory capacity to detect and address pests and diseases in their own regions. This effort will reduce risks of disease outbreaks in other countries and, in turn, reduce the risks of transboundary pests and diseases spreading to the United States via trade. The requested funding will allow APHIS to continue to respond to international requests for technical assistance while providing resources to meet the continually increasing demands. These activities are currently being funded as resources allow by the OTTO program and various plant and animal health programs (based on the requested project and activity) where applicable. With the dedicated resources planned in FY 2012, APHIS estimates that the number of projects coordinated in support of USDA goals will increase from 220 in FY 2010 to 235 in FY 2012.

#### INVASIVE SPECIES

Mr. Kingston: What innovative methodologies does APHIS use to combat invasive species?

Response: APHIS uses a variety of approaches and tools to combat invasive species and continually works to refine and enhance its methods, while searching for methods that fit particular pest situations and meet the needs of farmers, including organic producers. One of the most innovative methods is the use of sterile insect technology (SIT), which involves the release of sterile insects that mate with their wild counterparts and interrupt normal reproduction. APHIS first used SIT in combating and preventing outbreaks of the Mediterranean fruit fly (Medfly) in California and Florida and established Preventive Release Programs (PRP) with State cooperators. In the PRP, sterile Medflies are released continually in areas

that historically experienced Medfly outbreaks and numerous eradication operations. These efforts have proven very successful, with few outbreaks occurring in areas covered by the PRP. SIT is also used to eradicate outbreaks of Medfly when they occur. APHIS has also developed SIT for the Mexican fruit fly and pink bollworm and is developing it to complement other methods used to combat the light brown apple moth (LBAM) in California. To suppress LBAM populations, APHIS is using another mating disruption technique—the use of pheromones.

Another innovative and environmentally friendly control tool is *Bacillus thuringiensis* (Bt), a toxin used in the Boll Weevil eradication effort and for a variety of moth pests, including Gypsy moth. APHIS also uses biological control, or the use of natural enemies, to control a variety of insects and weeds. To help control the brown tree snake on Guam (which has decimated the island's native bird species) APHIS is using acetaminophen (the active ingredient in Tylenol). In 2010, APHIS conducted a pilot program involving the aerial distribution of the toxicant in baits placed in the upper forest canopy, where the snakes spend much of their time. APHIS will continue to look for and develop new and innovative control methods for its invasive species programs at its Center for Plant Health Science and Technology and the National Wildlife Research Center.

#### JOHNE'S PROGRAM

Kingston: What is the animal health implication of cutting the Johne's program? At what point would APHIS invest more for the Johne's program and what spending options are in place to address any increased levels of infection? Please provide the Committee with a description of the activities of the Voluntary Johne's Disease Herd Status Program for Cattle (VJDHSP) and its impact.

Response: Johne's disease is endemic in the United States, and highly endemic in the case of the dairy industry with more than 68 percent of herds infected. Truly effective control measures can only be implemented on individual premises by educated producers. This type of case-by-case intervention is already happening on the part of informed producers. A 2007 study showed that only 35 percent of dairy herds participated in either a custom Johne's disease control program or in the national Johne's disease program through the Voluntary Bovine Johne's Disease Control Program (VBJDPC).

Since the disease is endemic in the United States, efforts to attempt to eradicate the disease would be very costly. The goal of the national VBJDPC has been to contain and reduce the prevalence of Johne's disease in the United States through voluntary certification of test-negative herds and disease management to help herds achieve disease freedom. In FY 2003, the program implemented pilot studies focusing on current testing schemes and control methods in each region of the country. This study was known as the National Johne's Disease Demonstration Herd Project. This project involved sixteen States encompassing 63 dairy herds and 23 beef herds. APHIS used the information from the study to determine best practices in disease control and increasing knowledge of the disease. The Agency completed the analysis of the National Johne's Disease Demonstration Herd data in FY 2010.

APHIS revised the 2008 National Johne's Disease Strategic Plan in cooperation with States, affected industries, and producers. The plan proposes to continue the VBJDCP; however, it also recommends that APHIS shift its focus to nationally coordinated education efforts and field study projects. By adjusting its focus from field support to education and research priorities, APHIS can leverage available resources to provide maximum benefit to cooperators.

In FY 2010, VBJDCP enrollment continued to decline, and by the end of the reporting period, 4,611 herds were enrolled compared to the program's peak of more than 8,500 herds in FY 2007. Funding for this program has been adjusted to reflect APHIS' future direction for addressing this disease. APHIS plans to continue providing guidance on disease control to States and animal owners. APHIS will no longer provide direct support and funding to the Agency's program cooperators. At the requested FY 2012 funding level, APHIS' Johne's disease program would maintain minimal involvement with States, primarily sustaining the national Johne's Disease program standards. These program standards would be limited to the herd classification standard without supporting activities such as training for designated Johne's disease coordinators and risk assessments. Agency support for regional and field area activities would also end. However, APHIS would continue monitoring licensed diagnostic kits and vaccines through the Center for Veterinary Biologics, and administering approved labs through the National Veterinary Services Laboratories.

#### OVERSEAS ACTIVITIES

Mr. Kingston: How often does APHIS re-evaluate missions to overseas offices? How does APHIS make annual resource allocation decisions to overseas offices? What factors does APHIS consider for both new and continuing overseas activities?

Response: APHIS evaluates overseas operations and post locations at least annually to make sure our resources are strategically located to reduce risks to U.S. agriculture and to facilitate safe agricultural trade. APHIS makes allocation decisions based on the potential impact a trade partner may have on U.S. agriculture, safeguarding activities or concerns, presence of international organizations (for leveraging resources), and Presidential or other Federal priorities/initiatives. Opening and maintaining agricultural trade markets remains a priority for our overseas offices. Our safeguarding strategy in a global context includes both inspection and exclusion activities as well as overseas collaboration with foreign governments on programs to monitor and respond to potentially harmful invasive species and prevent their spread to the United States. Although APHIS has deployed resources around the world in strategic locations, these locations may play different roles over time. For example, an office working on highly pathogenic avian influenza may have a new purpose when a new threatening disease emerges. Most overseas offices handle the full range of APHIS issues overseas, increasing both cost effectiveness and efficiency as well as allowing for adjustment in priorities as circumstances require. APHIS has developed a 5-year international strategic plan that discusses possible challenges that may pose threats to U.S. agriculture and outlines a strategy for addressing and prioritizing these challenges. Key elements of this plan include support of Federal initiatives overseas, partnering with international and regional organizations, collaboration with other Federal

agencies, fulfillment of our congressional mandates for pest/disease safeguarding, and promoting U.S. agricultural trade interests.

#### FARM BILL

Mr. Kingston: Section 8204 of the 2008 Farm Bill amended the Lacey Act. The purpose of the amendment was to prevent trade in illegally harvested lumber and related wood products. The amendment also expanded Lacey Act protection to a broader range of plants, making it unlawful to import certain plants and plant products without an import declaration. The amendment created a few narrow exemptions, such as: plants and plant products used exclusively as packing material to support, protect, or carry another item (such as instruction manuals, labels, pallets and crating, etc.); "common cultivars" and "common food crops" (definitions of which are currently undergoing rulemaking by APHIS and FWS); and, plants for planting. As I understand it, APHIS projects that when the new requirements are fully implemented, the Agency will be dealing with approximately 250,000 declarations--of which up to 40,000 will be paper declarations--per month. That is approximately 3,000,000 declarations per year. In light of other critical agricultural needs and limited resources, it appears that the implementation of the law is placing an unintended burden on both USDA and U.S. companies and that a greater prioritization of activities is necessary to meet the primary intentions of the law.

a) Do you feel that APHIS has enough flexibility to implement alternative approaches to enforcing these regulations?

Response: As written, Section 8204 provides some flexibility in determining implementation approaches to the extent that the interagency group can reach a consensus. We are continuing to work within this group to ensure a coordinated, comprehensive approach and delineate the roles and responsibilities of the agencies involved.

b) Please confirm the number of declarations under the Lacey Act that APHIS estimates receiving monthly when the provisions of Section 8204 of the Food, Conservation and Energy Act of 2008 are fully implemented?

Response: Earlier in the process, APHIS estimated that we would be dealing with 250,000 declarations per month when the new requirements are fully implemented. However, as the interagency group began evaluating the types of products that fall under the amended Act, the magnitude of products that would require declarations has grown exponentially, and so has the number of declarations that would be required. At this time, an accurate estimate of the number of declarations we expect to receive is unavailable.

c) What are the estimated associated costs (in dollars and FTEs) for full implementation of Section 8204 of the Food, Conservation and Energy Act of 2008?

Response: As we are still evaluating the types of products that will be regulated under the Act and the number of expected declarations, we cannot estimate the cost of full implementation at this time.

d) If Congress does not approve of the \$1.5 million requested in the FY 2012 President's Budget, where will USDA get the funds to enforce this revision to the Lacey Act?

Response: APHIS would continue to spend approximately \$100,000 from agricultural quarantine inspection user fee revenue to fund the salaries and benefits of two employees currently spending a portion of their time on the program. These employees process a limited number of electronic declarations, conduct reviews of these declarations, participate in interagency negotiations, and conduct outreach activities.

e) What actions has APHIS taken, or plans to take, to minimize costs and burdens and increase regulatory flexibility of this program per the directives in Executive Order 13563, Improving Regulation and Regulatory Review?

Response: APHIS has minimized costs and burdens by encouraging importers to submit their declarations electronically. Paper declarations must be moved to an offsite location where storage space is available. Additionally, APHIS published a proposed rule in the *Federal Register* in August 2010 to establish definitions for the terms "common cultivar" and "common food crop." An estimated five percent of declarations currently being made are for common cultivars and common food crops that would be exempted under the definitions proposed in the rule. In addition, the Agency conducts outreach to provide stakeholders with the best opportunity to influence the development of a cost-efficient process for complying with the declaration requirement through a variety of methods. This effort includes presentations, town hall meetings, webinars, and frequent interactions with importers and other stakeholders via phone and e-mail.

f) Has APHIS completed the report required in Sec 8204? If so, please summarize the content. If not, when will the report be completed?

Response: APHIS has nearly completed a draft of the report and will be working with the interagency group to review and finalize it this spring. The final report will be available once it has been approved by the group and has undergone the appropriate clearance process.

g) How is USDA determining a definition of common plant cultivar?

Response: The Lacey Act exempts "common cultivars" and "common food crops," but does not define these terms. However, it does authorize the U.S. Department of Agriculture and the U.S. Department of the Interior (USDI) to define them by regulation. On August 4, 2010, we published a proposed rule in the *Federal Register* to establish definitions for these terms to clarify which plants and plant products will be subject to the Act's provisions, including the declaration requirement. We developed these definitions in collaboration with USDI's Fish and Wildlife Service (FWS). We determined a definition for a "common cultivar" based on the definition of "cultivar" contained in the Convention on International Trade in Endangered Species (CITES) regulations promulgated by FWS. Our definition of "common food crop" was developed with consideration of, and is consistent with, common dictionary definitions and terms in commercial use. To supplement these definitions, we will provide guidance in the form of a list of examples of plant taxa or commodities that qualify for exemption from the Act's provisions as common cultivars and common food crops.

h) How many declarations under the Lacey Act is APHIS currently receiving monthly as a result of Section 8204 of the Food, Conservation and

Energy Act of 2008?

Response: Currently, we are collecting approximately 32,000 declarations per month for regulated products, with approximately 85 percent of these being submitting electronically.

i) What are some of the unintended consequences of the program that have been identified during implementation?

Response: Since the Lacey Act declaration is not a condition of entry under the Act and shipments/declarations are not inspected or held by Customs and Border Protection (CBP) at the port of entry, the biggest impact to importers is researching their products' sources and filing the declaration. Because the paper declarations are mailed to APHIS and electronic declarations are transmitted to us by CBP once per week, we generally do not receive declarations until several days after a shipment has left the port environment (the area of control). The funds requested in the FY 2012 budget to develop a web-based database would help APHIS analyze the declarations in real-time.

#### LACEY ACT

Mr. Kingston: What is the impact of the proposal to lift the ISPM15 exemption on U.S. and Canadian trade (International Standards for Phytosanitary Measures Guidelines for Regulating Wood Packaging Material) and how would APHIS enforce the new policy?

Response: The proposal will require all wood packaging used in trade between the United States and Canada to meet internationally recognized standards. The regulations state that any wood packaging moving between the two countries will require a heat treatment of 56° C (minimum core temperature) for at least 30 minutes or a methyl bromide treatment. To ensure the public is informed and to minimize the financial hardship on companies shipping between the United States and Canada, APHIS and the Canadian Food Inspection Agency (CFIA) will engage in several months of verbal notifications followed by written notifications before fully enforcing the regulation. In FY 2013, all wood shipped between the United States and Canada would require an ISPM #15 mark to enter the country. The time allows industry to spread the cost of treated pallets, \$1 per pallet on average, over several months. It also allows more routine replacement. A wooden pallet only lasts 2 years on average, so the majority of pallets can be replaced following normal business practices. APHIS is meeting with the CFIA, the Department of Homeland Security's Customs and Border Protection Agency, and the Canada Border Services Agency at a minimum of once a month over the next year to minimize any enforcement implementation problems at the border.

#### LIVESTOCK MARKETING RULE

Mr. Kingston: In October, 115 Members of Congress wrote to Secretary Vilsack asserting that the economic analysis associated with the proposed GIPSA Livestock Marketing rule was inadequate and calling on USDA to conduct such an analysis. When the Secretary was here before the Committee last week, we asked him about the process and the timing of the Livestock Marketing Rule. Secretary Vilsack noted that about half of the 60,000 comments are unique and that the Department was working to finalize the rule.



Hopefully you will tell me that you plan to have an open and transparent process to deal with the economic impact analysis of the rule so that you can restore credibility in the rulemaking process and establish confidence in the proposal's impact on the economy.

Can you explain the process and timeline for finalizing this rule?

Response: Until USDA can thoroughly review the comments and their complexity, we cannot project when the rule could be published. It is important to the Department to develop the rule correctly. The Department will take the following steps in developing the rule:

- o Conduct a content analysis of comments and identify those requiring additional legal and policy analysis.
- o Evaluate the proposed cost-benefit analysis in light of comments and revise as necessary.
- o Draft a regulatory workplan and submit to the Office of Management and Budget (OMB) for approval.
- o Begin drafting the rule.
- o Enter the rule into Departmental clearance.
- o Submit the rule for OMB clearance.
- o Publish the rule.

Mr. Kingston: Would USDA agree to subject the cost benefit analysis to an independent peer review and notice and comment process? If not, why?

Response: USDA solicited comments on the initial cost-benefit analysis for this same purpose. The cost-benefit analysis that is being conducted now will be guided by the comments that we received during the comment period. Further, economists within the Department and OMB will clear this rule before moving it forward. USDA's Chief Economist, Joseph Glauber is taking the lead in coordinating a team of economists across the Department to provide rigorous review of the comments and ultimate policy decisions.

Mr. Kingston: How does GIPSA's Livestock Marketing rule comply with President Obama's Executive Order entitled Improving Regulation and Regulatory Review?

Response: GIPSA's proposed rule entitled, Implementation of Regulations Required under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act, was published only after concurrence by the Office of Management and Budget. The USDA personnel working on the rule have reviewed President Obama's Executive Order entitled Improving Regulation and Regulatory Review to ensure the rule is in full compliance with the order and will submit the rule to the Office of Management and Budget for final concurrence before publication.

Mr. Kingston: Once the rule is final, how does USDA plan to communicate the rule to the respective stakeholders?

Response: The rule will be published in the Federal Register. After publication, meetings and other forms of outreach will be held with farm and livestock groups and other stakeholders to communicate provisions and requirements of the new rule.

## EASTERN LIVESTOCK COMPANY

Mr. Kingston: Your GIPSA budget requests an increase of \$2.2 million to enforce the Packers and Stockyards Act. Before we start discussing the FY12 request, I want to explore what you are doing with your base funding of \$24 million. At the beginning of this past November, GIPSA began hearing about bounced checks from the Eastern Livestock Company, LLC - one of the largest cattle brokerage firms in the U.S. GIPSA would eventually estimate that these bounced checks totaled up to \$130 million. Earlier figures estimated that 750 sellers in 30 states were impacted by this financial failure. Within a short period of time, Eastern's bankruptcy did severe damage to cattle producers, livestock market operators and trucking firms. Many have still not recovered. This event has shaken confidence in the market and rattled livestock producers across the country.

Had you conducted a recent audit of this company?

Response: The most recent on-site financial review GIPSA conducted at Eastern was in 2006. In January 2010, in conjunction with the filing of its annual report, Eastern provided an independent auditor's report of its operations that was conducted by the accounting firm of Buetow, LaMastus, and Dick. The unqualified report is the highest level of confidence a firm can give. The standards of this audit require that the firm obtain reasonable assurance about whether the consolidated balance statements are free of material misstatement. This audit included examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated financial statements. This audit report and Eastern's annual reports did not contain any information that significantly deviated from previously submitted reports. The Fifth Third Bank Verified Complaint filed in the Court of Common Pleas in Hamilton County, Ohio, stated that Eastern Livestock has engaged in a sophisticated check-kiting scheme, which is not easily detectable.

Mr. Kingston: According to USDA documents, USDA informed Eastern on June 17, 2010, that it was necessary to increase its surety bond to \$1,150,000.00 to secure its livestock operations under the Packers and Stockyards Act before continuing in such operations. Can you explain to the Committee why GIPSA did not do more between June and November to enforce the Act and prevent much of the damage caused by this bankruptcy?

Response: On June 14, 2010, GIPSA issued a Notice of Default for failure to increase the bond, which was delivered to Eastern by certified mail on June 17, 2010. Despite receipt of the notice, Eastern continued to operate subject to the P&S Act. GIPSA does not have the authority to suspend an operation when it does not maintain adequate bond. When Eastern failed to comply, GIPSA had to develop a case, in conjunction with the USDA Office of the General Counsel, and collect the necessary evidence to pursue any formal enforcement action. GIPSA initiated formal enforcement action by issuing an administrative complaint on November 19, 2010, charging Eastern with failure to maintain an adequate bond. The case is still in litigation.

Mr. Kingston: Or if you did observe questionable activity, what did you do leading up the formal action by GIPSA weeks after Eastern started bouncing the checks?

Response: On November 3, 2010, a livestock seller complained to GIPSA that a payment check they received for livestock sold to Eastern had been

returned due to insufficient funds. On November 4, 2010, GIPSA deployed investigators to Eastern's headquarters to investigate the original and subsequent complaints of failure to pay for livestock. GIPSA also issued letters to 743 unpaid sellers encouraging affected producers to submit bond claims. GIPSA received 366 bond claims totaling \$36,823,179. GIPSA, working with USDA's Office of the General Counsel, and the U.S. Department of Justice, initiated formal enforcement by filing an administrative complaint on November 19, 2010, charging Eastern and Tommy P. Gibson of New Albany, Indiana, with failure to pay for livestock purchases; failure to pay timely for livestock purchases; and failure to maintain an adequate bond.

Mr. Kingston: If GIPSA has a difficult time enforcing the laws and regulations currently on the books, why should GIPSA authority be expanded as it is under the proposed livestock marketing rule?

Response: The Eastern Livestock situation is unique from an enforcement perspective given the alleged activities by the company. As stated previously, Eastern provided an independent auditor's report of its operations that was conducted by the accounting firm of Buetow, LaMastus, and Dick. The "unqualified" report is the highest level of confidence a firm can give. The standards of this audit require that the firm obtain reasonable assurance about whether the consolidated balance statements are free of material misstatement. This audit included examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated financial statements. This audit report and Eastern's annual reports did not contain any information that significantly deviated from previously submitted reports. The Fifth Third Bank Verified Complaint filed in the Court of Common Pleas in Hamilton County, Ohio, stated that "Eastern Livestock has engaged in a sophisticated check-kiting scheme."

The nature of, and issues covered in the proposed rule published on June 22, 2010 facilitate enforcement of certain practices under existing authority under the Packers and Stockyards Act.

Mr. Kingston: Lastly, what is GIPSA doing to minimize the chance of this situation happening again, including the possibility of tighter bond requirements for larger brokerage firms?

Response: GIPSA would like to work with Congress as we evaluate our authority to ensure that we are adequately equipped to handle such unique events from occurring in the future. The Secretary has the authority to require reasonable bonds. Regulations under the Packers and Stockyards Act require that all livestock dealers, market agencies, and packers purchasing over \$500,000 of livestock annually maintain a bond to cover their purchasing operations. However, there has been opposition to significantly increasing the bond requirements by large segments of the industry in the past and it is unclear whether adjusting bond requirements alone is a viable approach for addressing uncommon instances of sophisticated fraud such as what has been alleged in the case against Eastern Livestock.

Mr. Kingston: Last year, the Administration created and implemented the Poultry Loss Contract Grant Assistance Program (PGAP) to provide \$60 million in assistance to poultry growers whose poultry growing arrangements were terminated because of bankruptcy.

What steps are you taking to help producers impacted by the failure of Eastern Livestock Company?

Response: Besides the bond that Eastern Livestock Market maintained under the Packers and Stockyards Act, those impacted by Eastern's failure who are interested in applying for or discussing the USDA/Farm Service Agency's (FSA) credit programs or Rural Development (RD) should contact their local FSA or RD officials. FSA farm and RD loan teams can answer specific questions and provide the forms and guidance needed to complete an application.

Mr. Kingston: How much does GIPSA plan to spend on IT purchases in fiscal years 2011 and fiscal year 2012? How much did the Agency spend on IT purchases in fiscal years 2009 and 2010?

Response: In fiscal years 2009 and 2010, GIPSA spent \$1.2 million and \$0.8 million on IT purchases, respectively. In fiscal years 2011 and 2012, the agency estimates it will spend approximately \$0.9 million per year.

Mr. Kingston: Please provide the Committee with the most recent study surrounding the issues of packer ownership. Also, please inform of the Committee of any additional planned studies or reports.

Response: The most recent study surrounding issues of packer ownership is the Livestock and Meat Marketing study conducted by RTI International, Inc. completed in February 2007 by the previous Administration. The study is located at:  
<http://www.gipsa.usda.gov/GIPSA/webapp?area=home&subject=lm&topic=lr-mms>.  
 The study was funded through a special \$4.5 million appropriation by Congress in 2003. GIPSA has no plans to conduct additional studies on packer ownership of livestock. In the course of its enforcement activities, GIPSA collects information on livestock procurement patterns and reports these industry trends annually to Congress. The 2010 Packers & Stockyards Program Annual Report provided to Congress in March 2011 is located at:  
[http://archive.gipsa.usda.gov/pubs/2010\\_psp\\_annual\\_report.pdf](http://archive.gipsa.usda.gov/pubs/2010_psp_annual_report.pdf).

Mr. Kingston: The budget proposes legislation for GIPSA to convert to user fees in standardization activities. Please provide the Committee with data and/or analysis utilized in estimating the total cost recovery of \$27,000,000. Has GIPSA begun work with the Authorizing Committee relating to these proposed fees? If so, please provide a copy of the proposed legislation for the record. If not, when will the Administration begin this critical process?

Response: The previous total cost recovery estimate from additional user fees was \$27 million. The current estimate is \$31 million and is based on anticipated funding needs for GIPSA's Packers and Stockyards Program (\$26 million in appropriated funding requested for FY 2012) and GIPSA's Federal Grain Inspection Service's standardization program (\$5 million in appropriated funding for FY 2012).

The draft legislation would amend the Packers and Stockyards Act, 1921 (Act), to recover \$26 million by imposing a licensing fee on an estimated 15,800 subject-firms to fund the cost of administering the Packers and Stockyards Program authorized by the Act. This would equate to a fee of approximately \$1,646 per license. The draft legislation would also amend the United States Grain Standards Act to recover approximately \$5 million by

assessing a fee from the first purchaser of grain produced in the United States. In marketing year 2008/2009, the United States produced over 19,333 million bushels of grain.

GIPSA has drafted proposed legislation which is currently under review.

Mr. Kingston: How much support does the fee have, and what likelihood is there that that money will be available to you?

Response: The fee is included in the FY 2012 budget request subject to enactment by Congress. These proposed fees have not been implemented by Congress in the past.

Mr. Kingston: Were there any violation cases pending at the end of fiscal year 2010? What is the status of any violation cases pending at the end of fiscal year 2011?

Response: At the close of fiscal year 2010 there were 288 cases open. Of those, 60 have since been closed and the remaining 228 are still open. Of the open cases, 195 are with the Office of the General Counsel and 11 have been referred to the Department of Justice. The remaining 22 are still being worked on within GIPSA. Regarding fiscal year, 2011, the future status of cases cannot be determined prior to the end of the fiscal year, but we expect a similar disposition.

Mr. Kingston: Please provide an update on the work GIPSA is doing with the CODEX.

Response: GIPSA participates on the Codex Committee on Methods of Analysis and Sampling. A GIPSA official is the Alternate Delegate for the U.S. delegation to the Codex Committee on Methods of Analysis and Sampling (CCMAS). The Committee defines criteria for methods of analysis and sampling as needed for Codex. Recently completed guidelines relate to identification and quantification of specific DNA sequences, dispute resolution, and measurement uncertainty. The Committee is currently working on principles of sampling and on the use of proprietary methods of analysis. Endorsement of methods of analysis is an ongoing responsibility of the Committee. The 33<sup>rd</sup> session of CCMAS will be held in March 2012 in Hungary.

Mr. Kingston: How many violation report calls did you receive in fiscal year 2005? How many were investigated? What is the nature of violations reported?

Response: GIPSA maintains a hotline telephone number for receiving complaints and other inquiries from the public. During fiscal year 2005, GIPSA received 39 hotline calls. Thirteen (13) of these were complaints that resulted in initiation of investigations.

The nature of the complaints included allegations of failure to pay for meat, potential buyers prevented from bidding on the caller's cattle, failure to pay when due, custodial account shortages or misuse, contract poultry arrangements, and unfair/deceptive practices. The remaining hotline calls were information requests. During fiscal year 2005, GIPSA conducted a total of 267 investigations based on complaints received from livestock producers through all sources, such as personal contacts and telephone calls to GIPSA's regional offices. These investigations involved a similar range of potential types of violations.

By comparison, in fiscal year 2010, GIPSA was informed through calls, its own audits, inspections, and market monitoring of 2,110 instances of alleged violations. All of these allegations were opened as investigative cases. In the livestock industries, 40 were allegations of competition violations, 1,166 were allegations of financial violations, and 767 were allegations of trade practice violations. In the poultry industry, 2 were allegations of competition violation, 5 were allegations of financial violations, and 130 were allegations of trade practice violations.

Mr. Kingston: Please provide the Committee with a table showing the number of poultry compliance complaints received in fiscal years 2005 through 2010 and the number of related investigations.

Response: The information is provided below.

Number of Poultry Complaints and Investigations, 2005-2010.

Fiscal Year	Number of Complaints	Number of Investigations
2005	36	53
2006	49	49
2007	45	45
2008	35	35
2009	14	84
2010	108	108

Mr. Kingston: What was the nature of the poultry complaints received in the most recent year? How many investigations were done in the most recent year?

Response: The information is provided below. All poultry complaints in 2010 led to an investigation.

Number of Poultry Complaints and Investigations, 2010

Nature of Complaint	Number
Bribery	1
Contract Poultry Arrangements	17
Failure to Pay, Payment Practices	2
Grower Termination	17
Poultry Compliance	5
Preferential Treatment	2
Registration/Jurisdiction	1
Scales and Weighing Practices	4
Unfair/Deceptive Practices	59
Total	108

In 15 of the investigations, no violations were found, one found a minor violation that was corrected, another investigation was settled with a stipulation, and 79 investigations remained open at the end of the fiscal year. In 12 of the investigations, formal case files were prepared for

further action. Since GIPSA does not have administrative authority over poultry cases, these must be sent to Department of Justice (DOJ) for further action.

Mr. Kingston: Please provide a table showing dealer/order buyer financial failures to include fiscal years 2009 and 2010. Please provide an assessment of the data.

Response: The information is provided below.

Total Dealer Financial Failures and Restitution, 2001-2010

Fiscal Year	No. of Failures		Closed, Owed For Livestock (\$)	Closed, Restitution		Closed Recovery (%)
				From Bonds (\$)	From Other Sources (\$)	
2001	NA	11	\$2,841,305	\$317,444	\$24,786	12
2002	NA	11	3,271,962	618,764	60,000	21
2003	NA	5	1,805,600	112,281	28,923	8
2004	NA	3	770,860	95,000	0	12
2005	NA	1	2,993,990	0	0	0
2006	NA	13	3,018,131	134,936	26,856	5
2007	NA	31	6,941,930	257,634	549,303	12
2008	NA	20	2,054,647	843,682	301,916	56
2009	NA	25	3,134,145	348,018	411,133	24
2010	2	7	213,332	20,000	0	9

Table Note: Starting in 2010, entries show the number of firms that have claims open at year-end and those cases that have closed at year-end; for past years, only the total number of failures is shown. Dollar amounts for all years are for failures with claims closed as of most recent year-end, so historical data may have been updated to reflect any settlements after the year the failure occurred.

Since 2001, an average of 13 dealers failed each year, with a range of 1 to 31 failures per year. During that same time period, producers received an average 16 percent payment of amounts owed to them, with recovery ranging from 0 to 56 percent.

The number of dealer financial failures in 2006 at 5 was not statistically different from the 10-year average of 10 failures per year. The increased number of failures in 2007, however, was a significant difference, the 2008 failures moved towards the historical norm. The reported values are not adjusted for inflation and inflation levels in the past are acting to increase more recent year dollar values but not actual failures. The number of dealer financial failures in 2010 at 9 was significantly less than the previous 3 years.

Mr. Kingston: Please provide a table showing firm concentration ratio for steer and heifer slaughter, boxed beef, sheep and lamb slaughter, and hog

slaughter to include data for 2009 and 2010.

Response: The information is provided below. Data for 2010 is not yet available.

Four-Firm Concentration in Livestock Slaughter by Type of Livestock and in Fed Beef Production, Selected Years, 1980-2009

Year	Steers & Heifers (%)	Sheep & Lambs (%)	Hogs (%)
1980	36	56	34
1995	81	72	46
2000	81	67	56
2001	80	66	57
2002	79	65	55
2003	80	65	64
2004	79	65	64
2005	80	70	64
2006	81	68	61
2007	80	70	65
2008	79	70	65
2009	81	70	63

Mr. Kingston: Please provide a table showing the number of auction market failures, the amount owed for livestock each year, and the amount recovered from bonds and other sources during each year from fiscal years 2005 through 2010. Provide the Committee with an explanation of any changes in recovery rates

Response: The information is provided below.

Total Auction Market Financial Failures and Restitution, 2001-2010

Fiscal Year	No. of Failures Open Closed		Closed, Owed Consignors (\$)	Closed, Restitution		Closed Recovery (\$)
				From Bonds (\$)	From Other Sources (\$)	
2005	NA	3	\$336,006	\$85,000	\$201,840	85
2006	NA	9	979,543	267,174	19,380	29
2007	NA	11	511,704	37,252	155,890	38
2008	NA	6	602,100	237,734	352,111	98
2009	NA	7	981,189	261,498	1,365	27
2010	1	4	20,901	4,547	0	22

Table Note: Starting in 2010, entries show the number of firms that have claims open at year-end and those cases that have closed at year-end; for past years, only the total number of failures is shown. Dollar amounts for all years are for failures with claims closed as of most recent year-end, so historical data may have been updated to reflect any settlements after the year the failure occurred.



Since 2005, an average of 6.7 auction markets failed per year. Consignors received average restitution of 50 percent payment of amounts owed to them, with a range of 22 to 98 percent.

Mr. Kingston: Please provide a table showing what percentage of the livestock that is slaughtered annually comes from captive supplies and/or forward contracts to include the most recent fiscal year data available.

Response: The information is provided below.

Top Four (Five \*) Packers' Packer-fed Cattle and Acquisition by Forward Contracts and Marketing Agreements as a Percentage of Total Steer and Heifer Slaughter, 1996-2009.

Year	Packer Fed Cattle	Cattle From Forward Contracts And Marketing Agreements	Total Committed
1996	3.4	19.2	22.5
1997	3.8	16.2	20.1
1998	3.5	18.9	22.4
1999	8.4	24.0	32.4
2000	9.1	29.1	38.2
2001	10.9	32.0	43.0
2002	9.6	34.8	44.4
2003	10.4	28.0	38.4
2004	8.3	26.8	35.1
2005	6.4	29.2	35.6
2006	7.6	33.0	40.6
2007	8.2	35.5	43.7
2008	8.3	38.6	46.8
2009	12.0	37.1	49.0

\* Starting in 2006 GIPSA expanded its procurement audits to the top five fed cattle slaughters. Data prior to 2006 refer to the four largest firms.

Mr. Kingston: Please update the table that appears in last year's hearing record showing the number of slaughtering and processing packers subject to the Packers and Stockyards Act to include fiscal year 2005? In last year's hearing record, you stated that FSIS does not report data for processing only plants. What plans does GIPSA have to collect that data, since the plants are subject to your oversight?

Response: The information is provided below.

Table. Number of Slaughterers Subject to the P&S Act, 1999-2010

Year	Bonded Slaughter Firms	Non-Bonded Slaughter Plants*
1999	386	491
2000	359	503
2001	338	522

2002	335	494
2003	338	481
2004	314	485
2005	312	453
2006	304	441
2007	296	446
2008	281	471
2009	284	NA
2010	233	NA

\*Number of Federally Inspected (FI) slaughter plants minus the number operated by reporting packers. This is an estimate of the number of non-bonded slaughter firms (operating FI plants) that are not required to be bonded because they purchase less than \$500,000 of livestock per year (includes slaughtering plants that also do processing but excludes non-FI plants). NA - data on number of non-bonded slaughter plants are not yet available.

GIPSA relies on the U.S. Census Bureau's Census of Manufactures for statistics on non-slaughtering packers. Because these packers do not purchase from livestock sellers, they are not subject to the payment provisions of the P&S Act or its payment regulations. An aspect of this is that the data needed from this segment of the packing industry is different than those subject to the payment provisions, such as prompt payment and bonds, and we do not collect data from this segment the same as from the slaughtering packers. GIPSA does, however, conduct investigations as needed.

Mr. Kingston: Please provide a table showing the number of compliance audits conducted on custodial accounts, the number of markets with shortages, the total dollars involved, and the amount restored from fiscal years 2005 to 2010.

Response: The information is provided below.

Number of Market Audits and Shortages Corrected Through On-Site Investigations, 2005-2010

Fiscal Year	Custodial Account Audits	Markets With Shortages	Amount Restored by On-Site Investigation (\$)
2005	252	102	\$5,269,525
2006	347	140	7,256,052
2007	296	99	2,037,080
2008	176	62	5,022,966
2009	383	181	2,581,725
2010	297	79	2,351,890

Mr. Kingston: Please provide a table showing the amount of funds spent on competition, fair trade practices, and financial protection for fiscal years 2005 through the projected level for fiscal year 2011.

Response: The information is provided below.

## Total Regulatory and Investigation Expenditures, 2005-2010

Fiscal Year	Regulatory (000\$)			Investigation (000\$)		
	Competition	Trade Practice	Financial	Competition	Trade Practice	Financial
2005		N/A		\$4,050	\$4,860	\$6,277
2006	----	\$6,705	----	1,775	2,640	3,869
2007	----	7,142	----	1,488	4,259	3,419
2008	----	3,664	----	330	6,220	6,238
2009	\$205	2,047	\$3,281	245	3,330	9,244
2010	81	1,342	4,463	388	4,928	8,621
2011	200	2,000	3,500	250	3,500	9,000

Prior to fiscal year 2006, regulatory activities and investigations were not differentiated; from 2006-2008, competition, trade practice, and financial regulatory activities were not differentiated.

**QUESTIONS SUBMITTED BY MR. LATHAM**

NATIONAL ANIMAL IDENTIFICATION SYSTEM  
AND  
ANIMAL DISEASE TRACEABILITY

Mr. Latham: Since 2004, the USDA has spent over \$150 million trying to implement the National Animal Identification System (NAIS). The program's shortcomings are well known, but perhaps the biggest limitation of the program was its low participation rates, effectively rendering the program ineffective as a tool for controlling animal disease. Last February the Secretary announced the Department would be revising its approach to a national animal disease traceability system. The new Animal Disease Traceability program will be state-based; however, the USDA will be regulating the traceability of interstate animal movements and will help coordinate the state programs. Mr. Under-Secretary, when do you expect to publish the proposed rule for Animal Traceability, and do you expect to have a final rule by this time next year?

Response: APHIS plans to publish the proposed rule in the spring of 2011. The final rule will be published 12 to 15 months later.

Mr. Latham: Also regarding Animal Traceability, the USDA has said it anticipates much higher participation rates than what were seen under the NAIS system. What is the USDA doing differently to ensure they are not replicating the previous failures of the program? How does the USDA plan to guarantee higher participation rates?

Response: Unlike the previous national animal identification program, the new approach gives State and Tribes the flexibility of using practices that work best for them and that are supported by their producers. In addition, USDA listened to producers' opinions about the previous program before developing the new approach for animal disease traceability. Some small producers were unhappy about officially identifying animals that did not move far from the farm. The new approach requires, with some exceptions, official identification and movement documentation only for animals that move interstate. To help address concerns about confidentiality, producer data will be maintained at the discretion of the States and Tribes. We believe that changes like this will increase participation, which is key to the success of animal traceability.

DAIRY IMPORT ASSESSMENT PROGRAM

Mr. Latham: Can you tell me if the U.S. Trade Representative has signed off on the pending USDA's AMS (Agricultural Marketing Service) proposed regulation to implement a dairy import assessment? As you know, in the 2008 Farm Bill Congress stipulated that USDA is not to implement this program unless USTR determines that it is consistent with our US WTO obligations. Please provide this committee with a letter from USTR documenting that they have approved the dairy import assessment before you implement it, and potentially find that it brings additional costs and unanticipated trade problems.

Response: Yes. In March 2011, the final rule to implement a dairy import assessment was published. The final rule states, "As required by

Section 4503(d) of the amended Dairy Promotion Stabilization Act of 1983, the Secretary has consulted with the Office of the United States Trade Representative to ensure that the Order is implemented in a manner consistent with the international trade obligation of the Federal Government." AMS consulted regularly with the United States Trade Representative (USTR) throughout the development of the regulation.

We do not have a letter from USTR, however in an email message on June 22, 2010 from Richard Chriss, Chief Agriculture Counsel at USTR, indicated that no remaining issues were identified by USTR to prevent implementation of the import assessment. The Final Rule (as reviewed by USTR) indicates: "As required by Section 4503(d) of the Act, the Secretary has consulted with the Office of the United States Trade Representative to ensure that the Order is implemented in a manner consistent with the international trade obligation of the Federal Government."

#### GRAIN INSPECTION, PACKERS AND STOCKYARDS PROGRAM

Mr. Latham: The 2008 Farm Bill required USDA to undertake rulemaking on five narrow issues to better ensure competition in rights for producers in livestock and poultry markets. USDA went further than the farm bill authorization to propose 17 additional provisions. One of these is a prohibition of packer-to-packer sales of livestock. Some in USDA feel that the industry uses packer-to-packer sales to send price signals to one-another. These sorts of sales have been around forever, and countless industry competition studies have never shown this to be a problem. The proposal is not without severe implications. Following are examples. Producer owners of packing plants - There are individual producers and cooperatives of producers who own interests in packing plants. They often produce on their farms more animals than their plants can harvest, and they sell them to other packers. Under this rule, these producers are defined as packers, and they are prohibited from selling their livestock to others. Are these producers expected to downsize their farms, sell their shares in packing plants, or resign from cooperatives?

Response: The purpose of the rule was not to include cooperatives, but we have received comments raising concerns on ambiguity relating to the provision. USDA is carefully considering the comments received during the comment period to guide our further analysis of the provision.

Mr. Latham: Following up to the previous questions, some packers also own cattle feedlots. Some of them are distant from their packing plants, and they sell some of their cattle to other packers whose plants may be closer to the feed yards. If this is prohibited, then those packers will have to haul their livestock great distances to their plants. When they do this, it causes their plants to have to be dedicated to harvesting their own animals rather than from the local market. This will limit buyer options for producers within the region. Does USDA realize this will harm, not help local market competition?

Response: USDA is aware there is concern, and is carefully considering the comments that were received during the comment period and use their content to guide our further analysis of the provision.

Mr. Latham: At times, packers will help a producer's cash flow and access to credit by sharing some financial risk in the cattle. USDA's GIPSA

agency considers any animal in which a packer has an ownership stake to be fully packer owned. It is likely that under the rule a feeder who has any sort of shared risk will now be considered a packer, meaning he is required to sell only to that packer, placing into jeopardy his ability to sell his other cattle to someone else. How does it help competition when a feeder is allowed to do business with only one packer?

Response: GIPSA has received a large number of comments addressing the section of the proposed rule regarding livestock purchasing practices. Some of the comments addressed issues similar in nature to the issue you have raised in this question. GIPSA is currently reviewing the comments and will take the comments into consideration in preparing the rule.

**QUESTIONS SUBMITTED BY MS. EMERSON**

Ms. Emerson: Under Secretary Avalos, Many producers have expressed concern over the past months about GIPSA's proposed rule to amend the Packers and Stockyards Act. We all agree that transparent and fair markets are important for producers, packers, processors, retailers and consumers. However, many of the livestock producers I represent in my district are very concerned these new rules would go too far and threaten their value-added marketing opportunities. They are concerned new rules would remove incentives for premiums by treating all products like a homogenous commodity.

The state of Missouri adopted a Missouri Livestock Marketing Law in 1999 which was implemented in May 2001. This law was very similar to policies included in the GIPSA livestock marketing regulatory proposal. The impact on this state law on producers was almost immediate and the legislature repealed it in a special legislative session only a few months after it was implemented. In MO, there was a 2 percent impact on cattle prices and a 4 and a half percent decrease in hog prices costing each industry millions of dollars. Packers were reluctant to pay the same price for Missouri livestock as for neighboring state livestock if buying in Missouri bought the added risk of a lawsuit for price discrimination.

I understand the department is conducting an economic analysis on the rule, which I think should have been completed before the rule was even proposed. Has USDA studied the economic impact the Missouri law had on producers and if so, were these issues addressed in GIPSA's proposed rule? Moreover, does USDA intend to go through a notice and comment period on a completed economic analysis before moving forward on a final rule?

Response: GIPSA became aware of the Missouri law through the proposed rule comment process and is evaluating them at this time.

GIPSA is still reviewing and analyzing the complexity of the comments and it would be premature at this stage to predict next steps. However, GIPSA does have a formal and exhaustive process it must follow, as with any Departmental rule, before promulgating a rule. The following steps will be taken:

- o Conduct a content analysis of comments and identify those requiring additional legal and policy analysis.
- o Evaluate the proposed cost-benefit analysis in light of comments and revise as necessary.
- o Draft a regulatory workplan and submit to the Office of Management and Budget (OMB) for approval.
- o Begin drafting the rule.
- o Enter the rule into Departmental clearance.
- o Submit the rule for OMB clearance.
- o Publish the rule.

**ANIMAL TRACEABILITY SYSTEM**

Ms. Emerson: Under Secretary Avalos, the Administration's request includes a nearly \$9 million increase for Animal Disease Traceability - formerly the National Animal Identification System - for a total of \$14 million for the program. This is a program that has a troubled history and little buy in from the livestock producers I represent. I understand that this spring, APHIS will propose a rule on traceability which will include dates for a phased in mandatory adoption. If I remember correctly, it was

when talked turned to a mandatory system, that the past administration was confronted with the most producer opposition - at least that was certainly the case in my District. a. Why is the Department so confident they will avoid the same objections that the NAIS plan experienced?

Response: USDA has taken a number of steps regarding the new animal traceability system to ensure that it will be accepted and properly used. This includes revamping the advisory committee devoted to animal health and collecting stakeholder input through a variety of means. USDA will use the input from the advisory committee and other stakeholders regarding implementation of priorities to guide spending of funds in FY 2011. With this broad outreach, USDA has addressed the concerns about the previous program (The National Animal Identification System) and, by focusing on interstate movement of animals, each State and Tribal Nation will be able to determine the specific approaches and solutions to meet basic animal disease traceability performance measures based on the needs of their local producers.

Throughout the traceability planning process, USDA has solicited feedback from representatives of States and Tribes in the development of the traceability rule, sought public comment at various venues, and held calls with stakeholders to ensure that we have heard their concerns. USDA has incorporated feedback in the plan and has openly communicated with stakeholders through the development of proposed a plan that we strongly believe will be successful.

The Animal Disease Traceability plan will allow for the use of identifications systems that have been successfully used in the past in the existing disease programs, for which producers have indicated support, such as use of low-cost tags. USDA addressed the concerns about premises registration by having the States and Tribes determine how to administer these activities and by having producer information managed entirely at the discretion of States and Tribes.

Mr. Emerson: APHIS's implementation plan expects to begin enforcing identification collection requirements in early 2012. Has the Department identified exactly what burden will these requirements will place on producers?

Response: It is our intent to minimize the cost to producers by providing them with the low-cost tags free of charge to the degree funding is available. The cost to the producers would be to apply the tag to the animals when they are gathering their livestock for movement or other purposes. The Regulatory Impact Analysis, prepared with the proposed rule, will provide an in-depth analysis of the cost impact to producers.

Mr. Emerson: The Implementation Plan anticipates compliance levels for cattle identification to be near 80 percent shortly after the regulation goes into effect and exceed 90 percent within the first year. Is this overly optimistic for a program which, in its previous form, struggled to register 37% of premises after 6 years and \$142 million in federal funds?

Response: Some of the older literature on the previous National Animal Identification System (NAIS) listed those percentages. Those have since been modified in response to feedback from industry and animal health officials. What we propose is a phased-in approach that meets the needs of States and producers. This plan ensures that industry sectors can systematically implement the cattle-handling practices and record requirements necessary to



support the framework. Additionally, the previous program was voluntary. This program will require identification (with some exceptions) of livestock moving interstate. We recognize the dollars that the Federal government and American producers invested in NAIS. As USDA transitions to the new framework, we will continue to use and improve upon what has worked in the past to support the new approach.

**QUESTIONS SUBMITTED BY MR. ADERHOLT**

Mr. Aderholt: Prior to GIPSA arriving on the premises of Eastern Livestock in November, how many times in the past five years had audits been conducted? It appears from one of GIPSA's statements that the agency had concerns throughout 2010. What regulatory action was taken and if none was taken why not?

Response: GIPSA conducted one on-site financial review at Eastern in 2006, which is the year of the oldest GIPSA records available. No regulatory action was required from that review. Eastern's annual reports did not contain any information that required GIPSA to schedule a review to further analyze their financials or solvency. In January 2010, in conjunction with the filing of its annual report, Eastern provided an independent auditor's report of its operations that was conducted by the accounting firm of Buetow, LaMastus, and Dick. The unqualified report is the highest level of confidence a firm can give. The standards of this audit require that the firm obtain reasonable assurance about whether the consolidated balance statements are free of material misstatement. This audit included examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated financial statements. This audit report and Eastern's annual reports did not contain any information that significantly deviated from previously submitted reports. The Fifth Third Bank Verified Complaint filed in the Court of Common Pleas in Hamilton County, Ohio, stated that "Eastern Livestock has engaged in a sophisticated check-kiting scheme," which is not easily detectable.

On June 14, 2010, GIPSA issued a Notice of Default for failure to increase the bond, which was delivered to Eastern by certified mail on June 17, 2010. Additionally, GIPSA was identifying instances where producers were not being paid in a timely manner. Despite receipt of the notice, Eastern continued to operate subject to the P&S Act. GIPSA does not have the authority to suspend an operation when it does not maintain adequate bond or slow pay. When Eastern failed to comply, GIPSA had to develop a case, in conjunction with the USDA Office of the General Counsel, and collect the necessary evidence to pursue any formal enforcement action. GIPSA initiated formal enforcement action by issuing an administrative complaint on November 19, 2010, charging Eastern with failure to maintain an adequate bond, failure to pay, and slow pay. The case is still in litigation.

Mr. Aderholt: As GIPSA Administrator, when were you first notified of Eastern Livestock's violations? What actions did you direct the agency to take to resolve the issues?

Response: USDA received a complaint from a producer on November 3, 2010, that Eastern Livestock failed to pay for livestock and immediately initiated a rapid response investigation. On November 4, 2010, the USDA/Grain Inspection, Packers and Stockyards Administration (GIPSA) deployed investigators to Eastern's headquarters to investigate the original and subsequent complaints of failure to pay for livestock. In total, we received 366 bond claims totaling \$36,823,179. On November 19, 2010, USDA filed a complaint against Eastern and its owner Tommy P. Gibson, charging them with failure to pay for livestock purchases; failure to pay timely for livestock purchases; and failure to maintain an adequate bond. Eastern denied the charges. The next step in the administrative enforcement process is an opportunity for a hearing before an administrative law judge.

GIPSA was also working on cases involving the failure to maintain adequate bond, and instances of not paying producers in a timely manner in the first half of 2010. The slow pay case was turned over to the Office of the General Counsel for prosecution and GIPSA issued an administrative complaint later in 2010.

**QUESTIONS SUBMITTED BY MR. GRAVES**

Mr. Graves: The complexity of both the investigation and bankruptcy proceedings indicate it will require a very long period of time before the true value of Eastern Livestock's assets is determined. It is also unclear the degree to which any part of this financial disaster could have been avoided or reduced if warning signs reported to GIPSA had been handled differently. That being said, it is more apparent each day the devastation and loss of marketing, hauling and other services to producers that may result without some low (or no) interest loans being made available to impacted firms. In November the Secretary mentioned efforts that would be made to locate and loan existing funds to these farmers and their service providers. What progress has been made on this issue?

Response: Those interested in applying for or discussing the USDA/Farm Service Agency's (FSA) credit or Rural Development (RD) programs should contact their local FSA officials. FSA farm loan and RD teams can answer specific questions and provide the forms and guidance needed to complete an application.

Mr. Graves: Assuming that the data from an annual report was acquired by submission or investigation; did the dramatic increase in business volume represented in the case filed by 5/3 not become evident? If so then in light of shrinking cattle numbers did that not constitute a cause for concern?

Response: In January 2010, in conjunction with the filing of its annual report, Eastern provided an independent auditor's report of its operations that was conducted by the accounting firm of Buetow, LaMastus, and Dick. The "unqualified" report is the highest level of confidence a firm can give. The standards of this audit require that the firm obtain reasonable assurance about whether the consolidated balance statements are free of material misstatement. This audit included examining, on a test basis, evidence supporting the amounts and disclosures in the consolidated financial statements. Given that this audit report and that Eastern's annual reports did not contain any information that significantly deviated from previously submitted reports, GIPSA did not see any reason to schedule an audit to further analyze their financials or solvency. Upon noticing the increased volume in sales, GIPSA requested higher bond coverage commensurate with the increased volume. The Fifth Third Bank Verified Complaint filed in the Court of Common Pleas in Hamilton County, Ohio, stated that "Eastern Livestock has engaged in a sophisticated check-kiting scheme," which is not easily detectable.

## QUESTIONS SUBMITTED BY MR. FARR

## STRAWBERRY EXPORTS TO AUSTRALIA

Mr. Farr: I thank APHIS for its letter earlier this month asking Australia to drop the requirement for extensive sampling of strawberries from California. Please provide me an update in writing on Australia's response, including the establishment of a preclearance program, and USDA's action plan for pursuing these measures in time for the upcoming season.

Response: On March 10, 2011, APHIS officials spoke with representatives from the Australia Department of Agriculture, Fisheries, and Forestry (DAFF) regarding the preclearance proposal and the proposed time frames. The DAFF officials indicated informally that they supported the proposal. On March 23, 2011, APHIS held a teleconference with California regulatory and industry officials to discuss the work plan and preparations for immediate implementation of the program once approved by DAFF. On March 24, 2011, DAFF informed us formally that they would remove their 2010 requirement for the cutting and inspection post-fumigation of 600 strawberries per shipment and stated that they are reviewing the draft strawberry preclearance program work plan. APHIS and its DAFF counterparts have been in dialogue to finalize the preclearance work plan outlining the final requirements for exporting California strawberries.

## IMPORTATION OF APPLES FROM CHINA

Mr. Farr: I have concerns about the impact that fresh Chinese apples could have on U.S. apple growers and other industries, and about China's track record of preventing the export of pests and diseases. I understand you are in receipt of a bicameral letter requesting information concerning negotiations with China so that we can fully understand the nature of these negotiations and adequately monitor the progress. Please provide the following that was also requested in their letter:

a) An explanation of why U.S.D.A. decided it was time to share the pest list with China;

Response: USDA follows science-based guidelines and principles laid out in the North American Free Trade Agreement and the World Trade Organization's (WTO) Sanitary and Phytosanitary (SPS) Agreement. USDA is obligated to share this type of information in accordance with the WTO, as there is no science-based reason for not sharing the list. APHIS' industry stakeholders are also familiar with this process. For example, APHIS received a November 19, 2009, letter from the Tree-Fruit Technical Advisory Council (TreeTAC), an industry representative organization, acknowledging that the Agency would provide the list to China. If USDA had refused to share the pest list with China, USDA would be vulnerable to a WTO challenge. In addition, refusing to move forward could affect U.S. market access requests for a number of commodities including potatoes, as well as the U.S.

apple industry's long-standing request to China to remove current varietal restrictions on apples and to grant access to apples from additional States.

b) A detailed chronology of the events leading up to November 19, 2010 bilateral meeting during which a draft pest list was shared with China;

Response: The information is submitted for the record.

[The information follows:]

## CHRONOLOGY OF EVENTS LEADING TO THE NOVEMBER 2010 MEETING

Date	Summary of Events
May 1998	Shanghai Bilateral: China presented a pest list to APHIS requesting market access for apples grown in Shandong and Shaanxi Provinces. On October 7, 1999, a draft pest list was delivered to China for their review and comment. At that time, China was only interested in exporting Fuji, Jon Gold, and Qinguan varieties to the United States from the two identified Provinces.
November 1999	Kunming Bilateral: APHIS provided China with a long list of pests for which additional information was required. Despite APHIS' best efforts to explain why this information was required, China expressed a firm opinion that APHIS should not provide them anything until the pest risk analysis was completed. As a consequence of the position taken by China, a large number of organisms are listed as presenting a high risk because APHIS was not in receipt of complete information.
December 2003	APHIS provided China with a revised draft pest list for review and comment. This pest list was developed for apples produced throughout China.
April 2004	U.S. apple industry groups wrote letters to President Bush and Secretary Veneman expressing deep concerns about China's apple market access request and potential linkages of the Chinese request with U.S. requests for access to the Chinese market.
May 2004	China responded to APHIS' December 3, 2003, letter requesting technical information in support of China's apple access request.
October 2004	APHIS shared the following documents with industry in preparation for a scheduled November 9-10, 2004, meeting in Riverdale, Maryland: <ul style="list-style-type: none"> <li>• Review of Comments Made by China on Quarantine Pests of Concern in the China Apple (<i>Malus domestica</i>) Pest Risk Assessment (February 2000);</li> <li>• Initial draft pest list provided to China on December 3, 2003; and,</li> <li>• China's May 13, 2004, response to the December 3, 2003, draft pest list.</li> </ul>
December 2004	In preparation for the Hainan bilateral, APHIS sent China a document entitled: "Review of Comments Made by China AQSIQ on Quarantine Pests of Concern in the China Apple ( <i>Malus domestica</i> ) Pest Risk Assessment" and identified six pests for which APHIS required additional information.
April 2005	China responded to the December 2, 2004, letter and identified apple producing regions of China and provided specific information about the six additional pests.

Date	Summary of Events
September 2006	Xian Bilateral: APHIS and China discuss the potential for Chinese experts to travel to APHIS' Centers for Plant Health Science and Technology (CPHST) to develop a pest list and work on a pest risk analysis. China subsequently reiterated this request at the New Orleans bilateral in February 2008. During the Shanghai bilateral in July 2009, China indicated they did not plan to send any pest risk analysis specialists to CPHST.
November 2009	APHIS received a November 19, 2009, letter from TreeTAC acknowledging that APHIS "would either provide the updated [pest] list to China at the time of publication [in the <i>Federal Register</i> ] or at the 2010 Bilateral."
March 2010	APHIS met with the Washington Apple Commission to review and discuss China's market access request to export fresh apples to the U.S. Pest list-related issues were discussed.
July 2010	APHIS addresses the U.S. Apple Board regarding China's access request for fresh apples. Pest list-related issues were discussed.
September 2010	APHIS received a September 26, 2010, letter from TreeTAC providing comments to APHIS on the apple pest list for Chinese-origin apples.
October 2010	<p>The following events occurred in October 2010:</p> <ul style="list-style-type: none"> <li>• U.S. apple industry sent an October 13, 2010, letter to Secretary Vilsack to request that APHIS not share a pest list for Chinese-origin apples with Chinese government counterparts at the November 2010 bilateral meeting;</li> <li>• APHIS and U.S. apple industry representatives convene a conference call on October 14, 2010, to discuss apple trade-related issues in preparation for the November 16-18, 2010 bilateral meeting;</li> <li>• APHIS and TreeTAC scientific experts convene a conference call on October 27, 2010, to jointly review the latest version of the pest list (which was updated based on industry comments received on September 26, 2010); and</li> <li>• Secretary Vilsack and Senator Debbie Stabenow held a conference call about the pest list developed for Chinese-origin apples.</li> </ul>

c) A copy of the pest list shared with China on November 19, 2010 and clarification as to the whether the list is in draft or final form;

Response: The list is submitted for the record and has been provided to Committee staff.

[The information follows:]



Table 1. Organisms in China associated or potentially associated with apple (*Malus pumila*). Species posing potential threats to U.S. agriculture are highlighted.

Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<b>ARTHROPODS</b>					
<b>ACARI</b>					
<b>Acaridae</b>					
<i>Tyrophagus putrescentiae</i> (Schrank)	CN, US	F	No	No <sup>4</sup>	CABI (2007); Chmielewski (1998)
<b>Eriophyidae</b>					
<i>Aculops xiningensis</i> Kuang	CN	F, L, S <sup>5</sup>	Yes	Yes	Kuang (2000)
<i>Aculus schlechtendali</i> (Nalepa)	CN, US	F, I, L	No	No <sup>6</sup>	CABI (2007); Hong & Zhang (1996); Easterbrook (1996)
<i>Calepitrimerus neimongolensis</i> Kuang & Geng	CN	F, L <sup>7</sup>	Yes	Yes	Geng <i>et al.</i> (1999); Hong & Zhang (1996)
<i>Phytoptus pyri</i> Pagenstecher (= <i>Eriophyes pyri</i> [Pagenstecher])	CN, US	F, L	No	Yes	Hill (1983); Hong & Zhang (1996); Jeppson <i>et al.</i> (1975)
<b>Tarsonemidae</b>					
<i>Polyphagotarsonemus latus</i> Banks	CN, US	F, I, L	No	Yes	CABI (2007); Iacob (1978)
<i>Tarsonemus confusus</i> Ewing	CN, US	F	No	Yes	Delfinado (1976); Hao <i>et al.</i> (2007)
<i>Tarsonemus nidicolus</i> Delfinado	CN, US	F, L <sup>8</sup>	No	Yes	Delfinado (1976); Lin & Zhang (1999)
<b>Tenuipalpidae</b>					
<i>Brevipalpus obovatus</i> Donnadieu	CN, US	L, S	No	No	CABI (2007); Jeppson <i>et al.</i> (1975)
<i>Cenopalpus pulcher</i> (Canestrini & Fanzago)	CN, US	F, I, L, S	No	Yes	Bajwa <i>et al.</i> (2001); Bayan (1984); CASI (1994); Düzgünes (1969)
<i>Cenopalpus ruber</i> (Wainstein)	CN	L	Yes	No	CASI (1994); Rahmani <i>et al.</i> (2008)
<i>Tenuipalpus taonicus</i> Ma & Yuan	CN	F, L <sup>9</sup>	Yes	Yes	Ma & Yuan (1980)
<b>Tetranychidae</b>					
<i>Amphitetranychus viennensis</i> (Zacher) (= <i>Tetranychus viennensis</i> Zacher)	CN	L	Yes	No	Bolland <i>et al.</i> (1998); CASI (1994); High (2008)
<i>Bryobia</i> sp.	CN	I, L, S <sup>10</sup>	Yes	No	CASI (1994)
<i>Bryobia graminum</i> (Schrank)	CN	L	Yes	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)

Apple, *Malus pumila* Mill., from China

Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Bryobia praetiosa</i> Koch	CN, US	I, L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Bryobia rubrioculus</i> (Scheuten)	CN, US	L, S	No	No	CABI (2007); Jeppson <i>et al.</i> (1975)
<i>Eotetranychus</i> sp.	CN	F, L <sup>11</sup>	Yes	Yes	Chai <i>et al.</i> (1990)
<i>Eotetranychus carpini</i> (Oudemans)	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Eotetranychus pruni</i> (Oudemans)	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Chen & Luo (1998)
<i>Eotetranychus sexmaculatus</i> (Riley)	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Eotetranychus smithi</i> Pritchard & Baker	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Eotetranychus uncatus</i> Garman	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Eutetranychus orientalis</i> (Klein)	CN	L	Yes	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Oligonychus biharensis</i> (Hirst)	CN, US (HI)	L	Yes	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975); Nishida (2002)
<i>Oligonychus yothersi</i> (McGregor)	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Panonychus citri</i> McGregor	CN, US	F, L	No	Yes	CABI (2007)
<i>Panonychus ulmi</i> (Koch)	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Hill (1983)
<i>Petrobia harti</i> (Ewing)	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Petrobia latens</i> (Müller)	CN, US	L	No	No	CABI (2007)
<i>Tetranychus</i> sp.	CN	L <sup>12</sup>	Yes	No	CASI (1994)
<i>Tetranychus cinnabarinus</i> (Boisduval)	CN, US	E	No	No	CABI (2007)
<i>Tetranychus desertorum</i> Banks	CN, US	L	No	No	Aguiar-Menezes <i>et al.</i> (2002); Bolland <i>et al.</i> (1998)
<i>Tetranychus kanzawai</i> Kishida	CN, US	L	No	No	Bolland <i>et al.</i> (1998); CABI (2007)
<i>Tetranychus ludeni</i> Zacher	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Tetranychus neocaledonicus</i> André	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)
<i>Tetranychus truncatus</i> Ehara	CN	F, L	Yes	Yes	CABI (2007); CASI (1994); Lee & Lee (1997)
<i>Tetranychus turkestani</i> (Ugarov & Nikolskii)	CN, US	L	No	No	Bolland <i>et al.</i> (1998); Jeppson <i>et al.</i> (1975)

Apple, *Malus pumila* Mill., from China

Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Tetranychus urticae</i> Koch	CN, US	L	No	No	CABI (2007)
<b>COLEOPTERA</b>					
<b>Anthribidae</b>					
<i>Araecerus fasciculatus</i> (De Geer)	CN, US	F, S	No	No <sup>13</sup>	Gorham (1987); Hua (2002)
<b>Bostrichidae</b>					
<i>Heterobostrychus hamatipennis</i> Lesne	CN, US	S	No	No	Choo <i>et al.</i> (1983); Fassotte (2005); Hua (2002); Peck & Thomas (1998)
<b>Buprestidae</b>					
<i>Agrilus auriventris</i> Saunders	CN	S	Yes	No	CASI (1994); Hill (1983)
<i>Agrilus mali</i> Matsumura	CN	L	Yes	No	High (2008); Hua (2002)
<i>Chrysobothris affinis</i> (F.)	CN	S	Yes	No	Hua (2002); Wermelinger <i>et al.</i> (2002)
<i>Chrysobothris succedanea</i> Saunders	CN	L, S	Yes	No	CASI (1994); Hill (1987)
<i>Ovalisia bellula</i> (Lewis) (= <i>Poecilnota bellula</i> Lewis)	CN	S <sup>14</sup>	Yes	No	CASI (1994); Hua (2002)
<i>Scintillatrix</i> (= <i>Lampra</i> , <i>Lamprodila</i> ) <i>limbata</i> (Gebler)	CN	L	Yes	No	CASI (1994); DAFF (2008, 2009); High (2008); Hua (2002)
<b>Cerambycidae</b>					
<i>Aeolesthes holosericea</i> (F.)	CN	S	Yes	No	Hua (2002); Nair (1975)
<i>Aeolesthes sarta</i> (Solsky)	CN	S	Yes	No	CABI (2007); Hua (2002)
<i>Allotraeus rubriventris</i> Gressitt	CN	S <sup>15</sup>	Yes	No	CASI (1994)
<i>Anoplophora chinensis</i> (Forster)	CN	L, R, S	Yes	No	CABI (2007)
<i>Anoplophora davidis</i> (Fairmaire)	CN	S <sup>16</sup>	Yes	No	CASI (1994)
<i>Anoplophora glabripennis</i> (Motschulsky)	CN, US	S	Yes <sup>17</sup>	No	CABI (2007); Hua (2002)
<i>Anoplophora macularia</i> (Thomson) (= <i>A. malasiaca</i> [Thomson])	CN	S	Yes	No	CASI (1994); Chang (1975); Hua (2002)
<i>Anoplophora nobilis</i> (Ganglbauer)	CN	S	Yes	No	CABI (2007); Shang <i>et al.</i> (2000); Wang <i>et al.</i> (1988)

Apple, *Malus pumila* Mill., from China

Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Apriona germarii</i> (Hope)	CN	S	Yes	No	Hua (2002); Yang <i>et al.</i> (2005)
<i>Aromia bungii</i> (Faldermann)	CN	S	Yes	No	CASI (1994); Liu <i>et al.</i> (1999)
<i>Asias halodendri</i> (Pallas)	CN	S	Yes	No	Hua (2002); Stenquist (1999)
<i>Bacchisa atritarsis</i> (Pic)	CN	S	Yes	No	CASI (1994); Qian (1984)
<i>Bacchisa dioica</i> (Fairmaire)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Bacchisa fortunei</i> (Thomson)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Bacchisa guerryi</i> (Pic)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Bandar pascoei</i> (Lansberge) (= <i>Macrotoma fisheri</i> Waterhouse)	CN	S <sup>15</sup>	Yes	No	CASI (1994); Hua (2002)
<i>Batocera davidis</i> Deyrolle	CN	S	Yes	No	Hua (2002); Qian (1983)
<i>Batocera horsfieldi</i> (Hope)	CN	S	Yes	No	Fan <i>et al.</i> (1986); Hua (2002)
<i>Batocera rubus</i> (L.)	CN	L, S	Yes	No	CABI (2007); Hua (2002)
<i>Batocera rufomaculata</i> (De Geer)	CN	S	Yes	No	CABI (1994, 2007)
<i>Cataphrodium rubripenne</i> (Hope)	CN	S	Yes	No	Chang (1974); Hua (2002)
<i>Ceresium sinicum</i> White	CN	S	Yes	No	Hua (2002); Kojima (1931)
<i>Chelidonium quadricolle</i> Bates	CN	S <sup>15</sup>	Yes	No	AQIS (1998); Hua (2002)
<i>Chlorophorus</i> sp.	CN	S <sup>15</sup>	Yes	No	CASI (1994)
<i>Chlorophorus annularis</i> (F.)	CN, US	S	No	No	Baker (1972); Hua (2002)
<i>Chlorophorus diadema</i> (Motschulsky)	CN	S	Yes	No	AQIS (1998); Hua (2002); Shen & Li (1983)
<i>Chlorophorus motschulskyi</i> (Ganglbauer)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Chlorophorus separatus</i> Gressitt	CN	S <sup>15</sup>	Yes	No	CASI (1994)
<i>Chlorophorus varius</i> (Müller)	CN	S	Yes	No	Avidov & Harpaz (1969); Hua (2002)
<i>Dorystenes huegelii</i> Redtenbacher	CN	R, S	Yes	No	Hill (1983); Hua (2002); Nair (1975)

Apple, *Malus pumila* Mill., from China

Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Dorystenes hydropictus</i> (Pascoe)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Lamiomimus gottschei</i> Kolbe	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Linda atricornis</i> Pic	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Linda femorata</i> (Chevrolat)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Linda fraterna</i> (Chevrolat)	CN	L, S	Yes	No	High (2008); Hua (2002); Shen & Chang (1964)
<i>Linda gracilicornis</i> Pic	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Linda nigroscutata</i> (Fairmaire) (= <i>Micris nigroscutatus</i> Fairmaire)	CN	S	Yes	No	CASI (1994); Hua (2002); Nair (1975)
<i>Mantitheus pekinensis</i> Fairmaire	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Massicus raddei</i> (Blessig) (= <i>Mallambyx raddei</i> Blessig)	CN	S <sup>15</sup>	Yes	No	CASI (1994); Hua (2002)
<i>Megopsis sinica</i> (White)	CN	S	Yes	No	Hua (2002); Kojima (1931)
<i>Menesia sulphurata</i> (Gebler)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Mesosa japonica</i> Bates	CN	S	Yes	No	Hua (2002); Noguchi (1934)
<i>Mesosa myops</i> (Dalman)	CN	S	Yes	No	Hua (2002); Minkevi (1967)
<i>Mesosa stictica</i> Blanchard	CN	S <sup>15</sup>	Yes	No	CASI (1994)
<i>Monochamus alternatus</i> Hope	CN	S	Yes	No	Hua (2002); Hill (1983)
<i>Monochamus guerryi</i> Pic	CN	S	Yes	No	Hua (2002); Hill (1983)
<i>Nadezhdiella aurea</i> Gressitt	CN	S <sup>15</sup>	Yes	No	CASI (1994)
<i>Neocerambyx mandarinus</i> Gressitt	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Nupserha marginella</i> (Bates)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Oberea formosana</i> Pic	CN	S <sup>18</sup>	Yes	No	Hua (2002)
<i>Oberea japonica</i> (Thunberg)	CN	S <sup>18</sup>	Yes	No	Hua (2002)
<i>Oberea nigriventris</i> Bates	CN	S <sup>18</sup>	Yes	No	Hua (2002); Shiraki (1952c)
<i>Oberea oculata</i> (L.)	CN, US	S	No	No	PRC (1998); Strauss (1991)
<i>Parechthistatus chinensis</i> Breuning	CN	S <sup>15</sup>	Yes	No	Hua (2002)

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<i>Phymatodes hauseri</i> (Pic)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Plagionotus christophi</i> (Kraatz)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Prionus insularis</i> Motschulsky	CN	S	Yes	No	Hua (2002); Kojima (1929)
<i>Psacotha hilaris</i> (Pascoe)	CN	S	Yes	No	CASI (1994); Watari <i>et al.</i> (2002)
<i>Pseudanaesthetis langana</i> Pic	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Pterolophia annulata</i> (Chevrolat)	CN	S	Yes	No	CASI (1994); Dubey <i>et al.</i> (1976)
<i>Pterolophia zonata</i> (Bates)	CN	S	Yes	No	Hua (2002); Shiraki (1952c); Tanaka (1930)
<i>Purpuricenus lituratus</i> Ganglbauer (= <i>P. petasifer</i> Fairmaire)	CN	S <sup>15</sup>	Yes	No	CASI (1994); Hua (2002)
<i>Trichoferus campestris</i> (Faldermann) (= <i>Hesperophanes campestris</i> Faldermann)	CN	S	Yes	No	CASI (1994); Hua (2002); Krivosheina & Tokgaev (1985)
<i>Turanium johannis</i> Baeckmann	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Turanium scabrum</i> (Kraatz)	CN	S <sup>15</sup>	Yes	No	Hua (2002)
<i>Xylotrechus chinensis</i> (Chevrolat)	CN	S <sup>19</sup>	Yes	No	Hua (2002)
<b>Chrysomelidae</b>					
<i>Agelastica coerulea</i> (Baly)	CN	L	Yes	No	Hua (2002); Park <i>et al.</i> (2004)
<i>Anadimonis potanini</i> Ogloblin	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Atrachya</i> (= <i>Luperodes</i> ) <i>menetriesi</i> (Faldermann)	CN	L	Yes	No	Hua (2002); Kanno (1996); Shiraki (1952b)
<i>Aulacophora indica</i> (Gmelin) (= <i>A. femoralis</i> [Motschulsky])	CN	L	Yes	No	Abe & Matsuda (2005); CASI (1994); Hua (2002)
<i>Aulacophora lewisi</i> Baly	CN	L	Yes	No	Abe & Matsuda (2005); Hua (2002)
<i>Basilepta fulvipes</i> (Motschulsky) (= <i>Nodostoma fulvipes</i> Motschulsky)	CN	L	Yes	No	CASI (1994); Hua (2002); Yuasa (1934)
<i>Basiprionota bisignata</i> (Boheman)	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Cassida nucula</i> Spaeth	CN	L <sup>21</sup>	Yes	No	CASI (1994)

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<i>Chlamisus velutinomaculatus</i> Gressitt	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Cleoporus variabilis</i> (Baly) (= <i>Paria variabilis</i> Baly)	CN	L	Yes	No	Hua (2002); Yuasa (1934)
<i>Cleorina aeneomicans</i> (Baly)	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Clytrasoma palliatum</i> (F.)	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Colasposoma dauricum</i> Mannerheim	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Crioceris</i> sp.	CN	L <sup>22</sup>	Yes	No	CASI (1994)
<i>Cryptocephalus</i> sp.	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Cryptocephalus approximatus</i> Baly	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Cryptocephalus fortunatus</i> Baly	CN	L <sup>20</sup>	Yes	No	Hua (2002); Shiraki (1952b)
<i>Cryptocephalus sexpunctatus</i> (L.) (= <i>C. 6-punctatus</i> [L.])	CN	L <sup>20</sup>	Yes	No	Hua (2002); Shiraki (1952b)
<i>Dactylispa angulosa</i> (Solsky)	CN	L <sup>23</sup>	Yes	No	Hua (2002)
<i>Dactylispa chatutanga</i> Maulik	CN	L <sup>23</sup>	Yes	No	Hua (2002)
<i>Dactylispa excisa</i> (Kraatz)	CN	L <sup>23</sup>	Yes	No	Hua (2002)
<i>Dactylispa subquadrata</i> (Baly)	CN	L	Yes	No	Hua (2002); Kamata (2002); Shiraki (1952b)
<i>Doryida</i> sp.	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Doryidomorpha nigripennis</i> Laboissiere	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Fleutiauxia armata</i> (Baly)	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Lilioceris</i> sp.	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Lochmaea capreae</i> (L.)	CN	L	Yes	No	Geiser & Herr (1996); Hua (2002)
<i>Luperus cavicollis</i> Chen	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Lypesthes ater</i> (Motschulsky)	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Lypesthes basalis</i> Chen	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Malaxioides grandicornis</i> Fairmaire	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Meristata spilota</i> Hope (= <i>Merista trifasciata</i> Hope)	CN	L	Yes	No	Hua (2002); Nair (1975)

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<i>Meristoides oberthuri</i> (Jacoby)	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Metritona thais</i> (Boheman)	CN	L	Yes	No	Hua (2002); Shiraki (1952b); Yuasa (1931)
<i>Mimastra cyanura</i> (Hope)	CN	F, L	Yes	No <sup>24</sup>	Hua (2002); Nair (1975)
<i>Mimastra grahami</i> Gressitt & Kimoto	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Mimastra limbata</i> Baly	CN	L <sup>20</sup>	Yes	No	Hua (2002)
<i>Neocrepidodera</i> (= <i>Asioreestia</i> ) <i>obscuritarsis</i> (Motschulsky)	CN	L <sup>20</sup>	Yes	No	Hua (2002); Konstantinov & Vandenberg (2001)
<i>Nonarthra postfasciata</i> (Fairmaire)	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Oides decempunctata</i> (Billberg)	CN	L	Yes	No	High (2008); Hua (2002)
<i>Oomorphoides</i> sp.	CN	L <sup>20</sup>	Yes	No	CASI (1994)
<i>Pachybrachis</i> (= <i>Pachybrachys</i> ) sp.	CN	L <sup>25</sup>	Yes	No	CASI (1994); Riley <i>et al.</i> (2003)
<i>Paropsides</i> sp.	CN	L <sup>26</sup>	Yes	No	CASI (1994)
<i>Phyllobrotica ornata</i> Baly	CN	L, R <sup>27</sup>	Yes	No	CASI (1994)
<i>Plagiodera cupreata</i> Chen	CN	L <sup>28</sup>	Yes	No	Hua (2002)
<i>Platycorynus plebejus</i> (Weise)	CN	L <sup>29</sup>	Yes	No	Hua (2002)
<i>Pyrhalta semifulva</i> (Jacoby) (= <i>Tricholochmaea semifulva</i> Jacoby)	CN	L <sup>30</sup>	Yes	No	AQIS (1998); Hua (2002); Krivolutsкая (1997a)
<i>Smaragdina semiaurantiaca</i> (Fairmaire)	CN	L	Yes	No	Hua (2002); Nakamura <i>et al.</i> (2003)
<i>Taiwania discalis</i> (Gressitt) (= <i>Cassida discalis</i> Gressitt)	CN	L <sup>31</sup>	Yes	No	Hua (2002)
<i>Taiwania</i> (= <i>Cassida</i> ) <i>versicolor</i> (Boheman)	CN	L	Yes	No	CASI (1994); Chûjô & Kimoto (1961); Kawabe (2006f)
<b>Coccinellidae</b>					
<i>Henosepilachna vigintioctomaculata</i> (Motschulsky)	CN	L	Yes	No	CASI (1994); Hoshikawa (1983)
<b>Curculionidae</b>					
<i>Aclees cribratus</i> Gyllenhal	CN	S	Yes	No	Hua (2002); Nair (1975)
<i>Adesmus</i> sp.	CN	S <sup>32</sup>	Yes	No	CASI (1994)



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<i>Anthonomus pomorum</i> (L.)	CN	F, I, L	Yes	No <sup>33</sup>	CABI (2007)
<i>Blosyrus herthus</i> (Herbst)	CN	L <sup>34</sup>	Yes	No	Hua (2002)
<i>Bothynoderes punctiventris</i> Germar	CN	L	Yes	No	CASI (1994); Hill (1983)
<i>Byctiscus betulae</i> (L.)	CN	L	Yes	No	Hill (1987); Hua (2002)
<i>Byctiscus coelulans</i> Voss	CN	L <sup>35</sup>	Yes	No	Hua (2002)
<i>Byctiscus congener</i> (Jekel)	CN	L	Yes	No	Hua (2002); Kono (1929)
<i>Byctiscus omissus</i> Voss	CN	L <sup>35</sup>	Yes	No	Hua (2002)
<i>Byctiscus princeps</i> Solasky	CN	L <sup>35</sup>	Yes	No	Hua (2002)
<i>Byctiscus rugosus</i> (Gebler)	CN	L <sup>35</sup>	Yes	No	Hua (2002)
<i>Byctiscus venustus</i> (Pascoe)	CN	L	Yes	No	Hua (2002); Kono (1929); Shiraki (1952c)
<i>Calomycterus</i> sp.	CN	L <sup>36</sup>	Yes	No	CASI (1994)
<i>Calomycterus obconicus</i> Chao	CN	L <sup>36</sup>	Yes	No	CASI (1994)
<i>Chlorophanus grandis</i> Roelofs	CN	L <sup>37</sup>	Yes	No	Hua (2002)
<i>Chlorophanus lineolus</i> Motschulsky	CN	L <sup>37</sup>	Yes	No	Hua (2002)
<i>Coenorrhinus</i> <sup>38</sup> sp.	CN	F, I, L, S <sup>39</sup>	Yes	Yes	CASI (1994)
<i>Enaptorrhinus sinensis</i> Waterhouse	CN	F	Yes	No <sup>40</sup>	Hua (2002); You (2004)
<i>Episomus kwanhsiensis</i> Heller	CN	L, R	Yes	No	Hua (2002); Zhou (1988)
<i>Ergania doriae</i> Faust	CN	F, I, L, S, Sd <sup>41</sup>	Yes	Yes	Hua (2002)
<i>Hyperstylus pallipes</i> Roelofs (= <i>Mylocherus pallipes</i> [Roelofs])	CN	L, R <sup>42</sup>	Yes	No	Hua (2002); Ramamurthy <i>et al.</i> (1992); Shiraki (1952c)
<i>Hypomeces squamosus</i> (F.)	CN	L	Yes	No	CASI (1994); Hill (1983, 1987)
<i>Involvulus</i> sp.	CN	F, I, L <sup>43</sup>	Yes	Yes	CASI (1994)
<i>Leptomias acutus</i> Aslam	CN	L <sup>44</sup>	Yes	No	Hua (2002)
<i>Leptomias longicollis</i> Chao	CN	L	Yes	No	Hua (2002); Lu (2005)
<i>Leptomias longisetosus</i> Chao	CN	L <sup>44</sup>	Yes	No	Hua (2002)
<i>Lixus obliquivittis</i> Voss	CN	L, S <sup>45</sup>	Yes	No	Hua (2002)
<i>Neomylocherus hedini</i> (Marshall)	CN	L	Yes	No	Duan (2009); PRC (1998)

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<i>Paracentrocorynus nigricollis</i> (Roelofs)	CN	L	Yes	No	AQIS (1998); GESRI (2002); Hua (2002)
<i>Paracynotrachelus longiceps</i> (Motschulsky)	CN	L	Yes	No	CASI (1994); NIAST (2005)
<i>Paratrachelophorus longicornis</i> (Roelofs)	CN	L	Yes	No	Hua (2002); Kawabe (2006c); Shiraki (1952c)
<i>Peribleptus forcatus</i> Voss	CN	F, L, S, Sd <sup>46</sup>	Yes	Yes	Hua (2002)
<i>Phyllobius</i> sp.	CN	L <sup>47</sup>	Yes	No	CASI (1994)
<i>Phyllobius longicornis</i> Roelofs	CN	L	Yes	No	Hill (1987); Hua (2002)
<i>Phyllobius pruni</i> Matsumura	CN	L	Yes	No	Hill (1987); Hua (2002)
<i>Phytoscaphus gossypii</i> Chao	CN	L	Yes	No	CASI (1994); CGRIS (2002a)
<i>Piazomias validus</i> Motschulsky	CN	F	Yes	Yes	Hua (2002); You (2004)
<i>Platymycteropsis ignarus</i> Faust	CN	L <sup>48</sup>	Yes	No	Hua (2002)
<i>Pseudocneorhinus bifasciatus</i> Roelofs (= <i>Callirhopalus bifasciatus</i> [Roelofs])	CN, US	L	No	No	Hua (2002); Maier (1983); O'Brien & Wibmer (1982); Shiraki (1952c)
<i>Rhamphus pulicarius</i> (Herbst) (= <i>R. pullus</i> Hustache)	CN	L	Yes	No	Hua (2002); Morimoto (1984); Shiraki (1952c)
<i>Rhynchites auratus</i> (Scopoli)	CN	F	Yes	Yes	CASI (1994); Khairushev (1970)
<i>Rhynchites auricapillus</i> Voss	CN	F, I, L, S <sup>49</sup>	Yes	Yes	Hua (2002)
<i>Rhynchites bacchus</i> (L.)	CN	F, I, L	Yes	Yes	Hua (2002); Lazarevic (1957)
<i>Rhynchites coreanus</i> Kono	CN	F	Yes	No <sup>50</sup>	Hua (2002); GARES (2006)
<i>Rhynchites foveipennis</i> Fairmaire	CN	F, I	Yes	Yes	High (2008); Hua (2002); Lu & Liu (2002)
<i>Rhynchites giganteus</i> Krynicki	CN	F	Yes	Yes	Hua (2002); Schreiner (1914)
<i>Rhynchites heros</i> Roelofs	CN	F, L, S, Sd	Yes	No <sup>51</sup>	Anonymous (1958); Clausen (1931); Hanson (1963); Hua (2002)
<i>Rhynchites koreanus</i> Kono	CN	F	Yes	Yes	CASI (1994); Kondo & Miyahara (1930)

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<i>Scepticus insularis</i> (Roelofs)	CN	L	Yes	No	Hua (2002); Kaneno (1927); Shiraki (1952c)
<i>Scepticus tigrinus</i> (Roelofs)	CN	L	Yes	No	Hua (2002); Katsumata (1936); Shiraki (1952c)
<i>Scythropus yasumatsui</i> Kono & Morimoto	CN	L	Yes	No	Hua (2002); (Li & Zhang (1985)
<i>Sitophilus oryzae</i> (L.)	CN, US	F	No	No <sup>52</sup>	Anderson (2002); Avidov & Harpaz (1969); Hua (2002)
<i>Sitophilus zeamais</i> Motschulsky	CN, US	F	No	No <sup>53</sup>	CABI (2007); Reis-Filho <i>et al.</i> (1989)
<i>Stelorrhynoides freyi</i> (Zumpt) (= <i>Stelorrhinus chinensis</i> Zumpt)	CN	L <sup>54</sup>	Yes	No	Hua (2002)
<i>Sympiezomias lewisi</i> (Roelofs)	CN	F, L, S	Yes	No <sup>55</sup>	Hua (2002); Hung (1966); Shi (2005)
<i>Sympiezomias velatus</i> (Chevrolat)	CN	L, R, S	Yes	No	CASI (1994); Guo <i>et al.</i> (1998); High (2008); Schmutzenhofer <i>et al.</i> (1996)
<i>Tanymecus circumdatus</i> (Wiedemann)	CN	L	Yes	No	Hua (2002); Nair (1975)
<i>Tanymecus urbanus</i> Gyllenhal	CN	L, R <sup>56</sup>	Yes	No	CASI (1994)
<i>Xylinophorus</i> sp.	CN	L, S <sup>57</sup>	Yes	No	CASI (1994)
<i>Xylinophorus mongolicus</i> (Faust)	CN	L, S	Yes	No	CGRIS (2002b); Hua (2002)
<b>Elateridae</b>					
<i>Agriotes subvittatus</i> Motschulsky (= <i>A. fuscicollis</i> Miwa)	CN	R	Yes	No	CASI (1994); Hua (2002); Kuwayama (1937)
<i>Laeon binodulus</i> Motschulsky	CN	R <sup>58</sup>	Yes	No	Hua (2002); Shiraki (1952b)
<i>Melanotus caudex</i> Lewis	CN	I, R <sup>59</sup>	Yes	No	CASI (1994); Uchida & Ogaki (1967)
<i>Melanotus legatus</i> Candèze	CN	R <sup>59</sup>	Yes	No	Hua (2002); Shiraki (1952b)
<i>Pleonomus canaliculatus</i> (Faldermann)	CN	R	Yes	No	High (2008); Hua (2002)
<b>Lucanidae</b>					
<i>Lucanus furcifer</i> Arrow	CN	S <sup>60</sup>	Yes	No	Hua (2002)
<i>Lucanus maculifemoratus</i> Motschulsky	CN	S	Yes	No	Hua (2002); NIAST (2006b)

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<i>Prosopocoilus</i> (= <i>Psilidoremus</i> ) <i>inclinatus</i> (Motschulsky)	CN	S	Yes	No	CASI (1994); Hua (2002); Kawabe (2006d)
<b>Meloidae</b>					
<i>Mylabris calida</i> (Pallas) (= <i>Meloe calida</i> Pallas)	CN	I, L <sup>61</sup>	Yes	No	Hua (2002)
<i>Mylabris cichorii</i> (L.)	CN	I, L <sup>61</sup>	Yes	No	Hua (2002)
<b>Nitidulidae</b>					
<i>Carpophilus</i> (= <i>Cardiophilus</i> ) <i>dimidiatus</i> (F.)	CN, US	F	No	No <sup>62</sup>	Arnett (2000); Avidov & Harpaz (1969); Hua (2002)
<i>Carpophilus hemipterus</i> (L.)	CN, US	F	No	No <sup>62</sup>	Arnett (2000); Avidov & Harpaz (1969); Hua (2002)
<i>Carpophilus humeralis</i> (F.)	CN, US	F	No	No <sup>63</sup>	CABI (2007)
<i>Carpophilus mutilatus</i> Erichson	CN, US	F, I	No	Yes	Arbogast & Throne (1997); Bartelt <i>et al.</i> (1994); CABI (2007); Ciampolini & Maiolini (1991); Gaven (1964); Hua (2002); Nadel & Peña (1994); Williams <i>et al.</i> (1995)
<i>Haptoncus luteolus</i> (Erichson)	CN, US	I	No	No	CABI (2007); Li (1981); Simmons & Nelson (1975)
<b>Scarabaeidae</b>					
<i>Adoretus puberulus</i> Motschulsky	CN	L	Yes	No	DAFF (2009)
<i>Adoretus sinicus</i> Burmeister	CN, US (HI)	L	Yes	No	CASI (1994); Gordon (1988); Nishida (2002)
<i>Adoretus tenuimaculatus</i> Waterhouse	CN	L	Yes	No	Hill (1983); Hua (2002)
<i>Anomala albopilosa</i> (Hope)	CN	L	Yes	No	Hiramatsu <i>et al.</i> (2001); Hua (2002)
<i>Anomala corpulenta</i> Motschulsky	CN	L	Yes	No	Hua (2002); Kuoh & Chang (1959)
<i>Anomala cuprea</i> Hope	CN	L	Yes	No	CASI (1994); Katsumata (1929)
<i>Anomala daimiana</i> Harold	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	Hua (2002); Shiraki (1952c)
<i>Anomala ebenina</i> Fairmaire	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	CASI (1994)
<i>Anomala exoleta</i> Faldermann	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	CASI (1994)

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<i>Anomala geniculata</i> (Motschulsky)	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	Hua (2002); Shiraki (1952c)
<i>Anomala heydeni</i> Frivaldszky	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Anomala idiocnema</i> Burmeister (= <i>A. sulcipennis</i> Faldermann)	CN	L	Yes	No	CASI (1994); High (2008); Hua (2002)
<i>Anomala mongolica</i> Faldermann	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Anomala octiescostata</i> Burmeister	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Anomala rufithorax</i> Ohaus	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	CASI (1994)
<i>Anomala rufiventris</i> Redtenbacher	CN	L	Yes	No	Hua (2002); Nair (1975)
<i>Anomala rufocuprea</i> Motschulsky	CN	L	Yes	No	Hua (2002); Kuwana & Tanaka (1927)
<i>Anomala sauteri</i> Ohaus	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	CASI (1994)
<i>Anomala sieversi</i> Heyden	CN	L	Yes	No	High (2008); Hua (2002)
<i>Anomala sinica</i> Arrow	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Anomala variivestis</i> Arrow	CN	L	Yes	No	Hua (2002); Nair (1975)
<i>Apogonia cupreoviridis</i> Kolbe	CN	L	Yes	No	Hua (2002); NIAST (2006a)
<i>Apogonia pilifera</i> Moser	CN	L <sup>66</sup>	Yes	No	Hua (2002)
<i>Brahmina faldermanni</i> Kraatz	CN	L	Yes	No	High (2008); Hua (2002)
<i>Brahmina intermedia</i> (Mannerheim)	CN	F, I, L <sup>67</sup>	Yes	No <sup>68</sup>	Hua (2002)
<i>Callistethus plagiicollis</i> Fairmaire (= <i>Anomala plagiicollis</i> Fairmaire)	CN	F, I, L <sup>64</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Catharsius molossus</i> (L.)	CN	F	Yes	No <sup>69</sup>	Hua (2002); Nair (1975)
<i>Cetonia auratus</i> (L.)	CN	I	Yes	No	Hill (1987); Hua (2002)
<i>Cetonia magnifica</i> Ballion	CN	I	Yes	No	Hua (2002); Luo <i>et al.</i> (1998)
<i>Cetonia roelofsi</i> Harold	CN	I	Yes	No	Hua (2002); Kawabe (2006b)
<i>Cyriopertha arcuata</i> (Gebler)	CN	I, L <sup>70</sup>	Yes	No	CASI (1994)
<i>Ectinoplia rufipes</i> (Motschulsky)	CN	L	Yes	No	Engelhardt (1927); Hua (2002)
<i>Epicometis</i> sp.	CN	I <sup>71</sup>	Yes	No	CASI (1994)
<i>Glycyphana fulvitemma</i> Motschulsky	CN	I	Yes	No	CASI (1994); Engelhardt (1927)

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<i>Heptophylla picea</i> Motschulsky	CN	L	Yes	No	CASI (1994); Nishigaki (1988)
<i>Hilyotrogus longiclavis</i> Bates	CN	L <sup>72</sup>	Yes	No	Hua (2002)
<i>Hilyotrogus unguicularis</i> Fairmaire	CN	L <sup>72</sup>	Yes	No	Hua (2002)
<i>Holotrichia aequabilis</i> Bates	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia cochinchina</i> (Nonfried)	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia convexopyga</i> Moser	CN	L	Yes	No	High (2008); Hua (2002)
<i>Holotrichia diomphalia</i> (Bates)	CN	L	Yes	No	Engel'hardt (1927); Hua (2002)
<i>Holotrichia kiotoensis</i> Brenske	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002); Shiraki (1952e)
<i>Holotrichia kunmina</i> Chang	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia lata</i> Brenske	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia maxima</i> Chang	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia oblita</i> (Faldermann)	CN	L	Yes	No	High (2008); Hua (2002)
<i>Holotrichia parallela</i> (Motschulsky)	CN	L	Yes	No	High (2008); Hua (2002)
<i>Holotrichia pilipyga</i> Chang	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia sauteri</i> Moser	CN	I, L	Yes	No	Hua (2002); Huang & Lin (1987)
<i>Holotrichia scrobiculata</i> Brenske	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia titanis</i> (Reitter)	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Holotrichia trichophora</i> (Fairmaire)	CN	F, L <sup>73</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Hoplosternus incanus</i> Motschulsky	CN	L	Yes	No	CAS (2006); CASI (1994)
<i>Hoplosternus japonicus</i> Harold	CN	F, I, L <sup>74</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Hoplosternus nepalensis</i> (Hope)	CN	F, I, L <sup>74</sup>	Yes	No <sup>65</sup>	CASI (1994)
<i>Maladera castanea</i> (Arrow) (= <i>Autoserica castanea</i> Arrow)	CN, US	L	No	No	Baker (1972); CABI (2007); Hua (2002); Shiraki (1952e)

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<i>Maladera japonica</i> (Motschulsky) (= <i>Aserica japonica</i> Motschulsky)	CN	L	Yes	No	CASI (1994); Pope (1961); Tamura (1939)
<i>Maladera orientalis</i> (Motschulsky) (= <i>Serica orientalis</i> Motschulsky, <i>S. salebrosa</i> Brenske)	CN, US	F, L	No	No <sup>65</sup>	CASI (1994); Hill (1987); Hua (2002); Metcalf & Metcalf (1993); Pope (1961)
<i>Maladera ovatula</i> (Fairmaire)	CN	L	Yes	No	High (2008); Hua (2002)
<i>Maladera verticalis</i> (Fairmaire)	CN	L	Yes	No	High (2008); Hua (2002)
<i>Melolontha</i> sp.	CN	F, L <sup>75</sup>	Yes	No <sup>65</sup>	CASI (1994)
<i>Melolontha furcicauda</i> Ancy	CN	F	Yes	No <sup>65</sup>	Hua (2002); Nair (1975)
<i>Melolontha hippocastani</i> F.	CN	F, L	Yes	No <sup>65</sup>	Hill (1987); Hua (2002)
<i>Melolontha japonica</i> Burmeister	CN	F, L	Yes	No <sup>65</sup>	Hill (1987); Hua (2002)
<i>Melolontha melolontha</i> (L.)	CN	F, I, L, R	Yes	No <sup>65</sup>	CABI (2007)
<i>Metabolus flavescens</i> Brenske	CN	L	Yes	No	High (2008); Hua (2002)
<i>Metabolus tumidifrons</i> Fairmaire (= <i>M. impressifrons</i> Fairmaire)	CN	L	Yes	No	Hua (2002); Shang (1981)
<i>Mimela holosericea</i> (F.) (= <i>Rhombonyx holosericea</i> F.)	CN	L	Yes	No	Hua (2002); Zhao <i>et al.</i> (1992)
<i>Mimela ohausi</i> Arrow	CN	I, L, R <sup>76</sup>	Yes	No	Hua (2002)
<i>Mimela passerini</i> Hope	CN	L	Yes	No	CASI (1994); Nair (1975)
<i>Mimela pasva</i> L. <sup>77</sup>	CN	L	Yes	No	High (2008)
<i>Mimela pekinensis</i> (Heyden)	CN	I, L, R <sup>76</sup>	Yes	No	Hua (2002)
<i>Mimela specularis</i> Ohaus	CN	I, L, R <sup>76</sup>	Yes	No	Hua (2002)
<i>Mimela splendens</i> (Gyllenhal)	CN	L	Yes	No	CASI (1994); Kawabe (2006a)
<i>Mimela testaceipes</i> Motschulsky	CN	L	Yes	No	CASI (1994); Foruno & Uenaka (1976)
<i>Mimela testaceoviridis</i> Blanchard	CN	L	Yes	No	High (2008); Hua (2002)
<i>Oxycetonia bealiae</i> (Gory & Percheron)	CN	I	Yes	No	High (2008); Hua (2002)

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<i>Oxycetonia</i> (= <i>Gametis</i> ) <i>jucunda</i> (Faldermann)	CN	I, L	Yes	No	DAFF (2009); Hua (2002); Li <i>et al.</i> (2005); Nair (1975); Šípek (2003)
<i>Phyllopertha diversa</i> Waterhouse	CN	F, I, L	Yes	No <sup>78</sup>	High (2008); Hua (2002)
<i>Phyllopertha horticola</i> (L.)	CN	F, I, L	Yes	No <sup>65</sup>	Hill (1987); Hua (2002)
<i>Phyllopertha pubicollis</i> Waterhouse	CN	I, L <sup>70</sup>	Yes	No	Hua (2002)
<i>Poecilophilides rusticola</i> (Burmeister)	CN	F, I	Yes	No <sup>79</sup>	High (2008); Hua (2002); RDB (2006)
<i>Polyphylla alba</i> Pallas	CN	L <sup>80</sup>	Yes	No	Hua (2002)
<i>Polyphylla laticollis</i> Lewis	CN	L	Yes	No	Hua (2002); Li (1984b)
<i>Popillia cyanea</i> Hope	CN	I	Yes	No	Hua (2002); Nair (1975)
<i>Popillia flavosellata</i> Fairmaire (= <i>P. atrocoerulea</i> Bates)	CN	I, L	Yes	No	CASI (1994); CGRIS (2002c); Hua (2002)
<i>Popillia japonica</i> Newman	CN, US	F, I, L	Yes <sup>81</sup>	No <sup>82</sup>	Hill (1987)
<i>Popillia mutans</i> Newman	CN	I, L	Yes	No	CASI (1994); Lee <i>et al.</i> (2002); Sun <i>et al.</i> (2006)
<i>Popillia quadriguttata</i> (F.)	CN	F, I, L	Yes	No <sup>83</sup>	DAFF (2009)
<i>Potosia</i> (= <i>Protaetia</i> ) <i>aerata</i> (Erichson)	CN	F, I	Yes	No <sup>84</sup>	CASI (1994); High (2008); Krikken (1984)
<i>Potosia</i> (= <i>Liocola</i> , <i>Netocia</i> , <i>Protaetia</i> ) <i>brevitarsis</i> (Lewis) (= <i>Cetonia brevitarsis</i> Lewis)	CN	F, I	Yes	No <sup>84</sup>	DAFF (2009); High (2008); Hong & Liu (2004); Hua (2002); Krivolutskaya (1997b)
<i>Potosia famelica</i> (Janson)	CN	F, I <sup>85</sup>	Yes	No <sup>84</sup>	Hua (2002)
<i>Potosia marginicollis</i> (Ballion)	CN	F	Yes	No <sup>86</sup>	Hua (2002); Plotnikov (1914)
<i>Potosia speculifera</i> Swartz	CN	F, I <sup>85</sup>	Yes	No <sup>84</sup>	Hua (2002)
<i>Proagopertha lucidula</i> (Faldermann)	CN	I, L	Yes	No	Hua (2002); Lee <i>et al.</i> (1973)
<i>Proagopertha pubicollis</i> Waterhouse	CN	I, L <sup>70</sup>	Yes	No	CASI (1994)
<i>Protaetia orientalis</i> (Gory & Percheron)	CN	I	Yes	No	High (2008); Hua (2002)
<i>Rhizotrogus</i> sp.	CN	L <sup>87</sup>	Yes	No	CASI (1994)



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<i>Rhomborrhina fulvopilosa</i> (Moser)	CN	F, I <sup>85</sup>	Yes	No <sup>84</sup>	Hua (2002)
<i>Rhomborrhina opalina</i> (Hope) (= <i>Torynorrhina opalina</i> Hope)	CN	F	Yes	No <sup>88</sup>	Akademia Rolnicza (2003); Hua (2002); Nair (1975)
<i>Rhomborrhina unicolor</i> Motschulsky	CN	S <sup>89</sup>	Yes	No	Hua (2002); Kawabe (2006e); Shiraki (1952c)
<i>Serica similis</i> Lewis	CN, US	F, L <sup>90</sup>	No	No <sup>65</sup>	Hallock (1929); Hill (1987); Hua (2002)
<i>Sericania fuscolineata</i> Motschulsky	CN	F, I, L <sup>74</sup>	Yes	No <sup>65</sup>	Hua (2002)
<i>Trematodes tenebrioides</i> (Pallas)	CN	L, S	Yes	No	CASI (1994); Xue <i>et al.</i> (1981)
<i>Trichius</i> sp.	CN	I <sup>91</sup>	Yes	No	CASI (1994)
<i>Trigonophorus nepalensis</i> Hope	CN	I	Yes	No	Hooker (1854); Hua (2002)
<i>Trigonophorus saundersi</i> Westwood	CN	F, I <sup>85</sup>	Yes	No <sup>84</sup>	Hua (2002)
<i>Trigonophorus xizangensis</i> Zhang & Ma	CN	F, I <sup>85</sup>	Yes	No <sup>84</sup>	Hua (2002)
<i>Xylotrupes gideon</i> (L.)	CN	F, L, S	Yes	No <sup>92</sup>	Hua (2002); Joshi & Mitra (1983); Nair (1975); Wongdao & Black (1987)
<b>Scolytidae</b>					
<i>Cryphalus malus</i> Nijima	CN	S <sup>93</sup>	Yes	No	Hua (2002); Shiraki (1952c)
<i>Euwallacea aquilus</i> (Blandford) (= <i>Xyleborus aquilus</i> Blandford)	CN	S <sup>94</sup>	Yes	No	Hua (2002)
<i>Hylastes ater</i> (Paykull)	CN	F	Yes	No <sup>95</sup>	CABI (2007); PPQ interception <sup>96</sup>
<i>Hylurgus ligniperda</i> (F.)	CN, US	F	No	No <sup>97</sup>	CABI (2007); Petrice <i>et al.</i> (2004); PPQ interception <sup>96</sup>
<i>Scolytplatypus mikado</i> (Blandford)	CN	S	Yes	No	AQIS (1998); Hua (2002); Kinuura & Hijii (1991)
<i>Scolytplatypus raja</i> Blandford	CN	S	Yes	No	Hua (2002); Nair (1975)
<i>Scolytus aratus</i> Blandford	CN	S	Yes	No	Hua (2002); KISTI (2006); Shiraki (1952c)
<i>Scolytus japonicus</i> Chapuis	CN	S	Yes	No	Hua (2002); Lindemann (1978)

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<i>Scolytus mali</i> (Bechstein)	CN, US	S	No	No	Baker (1972); CASI (1994)
<i>Scolytus rugulosus</i> (Müller)	CN, US	S	No	No	CABI (2007); Hill (1983); Hua (2002)
<i>Trypodendron signatum</i> (F.)	CN	S	Yes	No	Hua (2002); Gaubicher <i>et al.</i> (2003); Osumi & Mizuno (1992)
<i>Xyleborinus</i> (= <i>Xyleborus</i> ) <i>saxeseni</i> (Ratzeburg)	CN, US	S	No	No	Cognato (2008); Hely <i>et al.</i> (1982); Hua (2002); Nishida (2002)
<i>Xyleborus adumbratus</i> Blandford	CN	S <sup>94</sup>	Yes	No	AQIS (1998); Hua (2002)
<i>Xyleborus</i> (= <i>Apate</i> ) <i>dispar</i> (F.)	CN, US	S	No	No	CABI (2007); Hua (2002)
<i>Xylosandrus germanus</i> (Blandford)	CN, US	S	No	No	CABI (2007); Oliver & Mannion (2001); Weber & McPherson (1983)
<i>Xylosandrus semiopacus</i> (Eichhoff)	CN	S	Yes	No	Braza (1995); Hua (2002)
<b>Tenebrionidae</b>					
<i>Cerogria popularis</i> Borchmann	CN	F, I, L <sup>98</sup>	Yes	No <sup>99</sup>	Hua (2002)
<i>Gonocephalum recticollae</i> Motschulsky	CN	S <sup>100</sup>	Yes	No	Hua (2002)
<i>Gonocephalum reticulatum</i> Motschulsky (= <i>G. mongolicum</i> Reitter)	CN	S <sup>100</sup>	Yes	No	CASI (1994); Hua (2002)
<i>Opatrum subaratum</i> Faldermann	CN	L	Yes	No	Guangdong Province (2006); Hua (2002)
<b>DERMAPTERA</b>					
<b>Forficulidae</b>					
<i>Forficula auricularia</i> L.	CN, US	F	No	No <sup>101</sup>	CABI (2007); Hill (1987); Hua (2000)
<b>DIPTERA</b>					
<b>Anthomyiidae</b>					
<i>Delia</i> (= <i>Hylemya</i> ) <i>platura</i> (Meigen)	CN, US	R	No	No	CABI (2007); CASI (1994)
<b>Drosophilidae</b>					
<i>Drosophila immigrans</i> Sturtevant	CN, US	F	No	No <sup>102</sup>	CABI (2007); Hardy (1965)
<i>Drosophila suzukii</i> (Matsumura)	CN, US	F	No	Yes	CASI (1994); Kanzawa (1939); Nishida (2002); Norton (2009)
<b>Tephritidae</b>					
<i>Bactrocera</i> sp.	CN	F	Yes	Yes	PPQ interception <sup>96</sup>

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<i>Bactrocera cucurbitae</i> (Coquillett)	CN, US (HI)	F	Yes	Yes	Anonymous (1983); White & Elson-Harris (1992)
<i>Bactrocera dorsalis</i> (Hendel)	CN, US (HI)	F	Yes	Yes	CABI (2007); Nair (1975)
<i>Bactrocera latifrons</i> (Hendel)	CN, US (HI)	F	Yes	No <sup>103</sup>	White & Elson-Harris (1992)
<i>Bactrocera occipitalis</i> (Bezzi)	CN	F	Yes	Yes	CABI (2007); CASI (1994)
<i>Bactrocera pedestris</i> (Bezzi)	CN	F	Yes	Yes	CASI (1994); Drew <i>et al.</i> (1982)
<b>HETEROPTERA</b>					
<b>Acanthosomatidae</b>					
<i>Acanthosoma denticaudum</i> Jakovlev	CN	F <sup>104</sup>	Yes	No <sup>105</sup>	Hua (2000); Shiraki (1952d)
<i>Sastragala scutellata</i> (Scott)	CN	F	Yes	No <sup>106</sup>	CASI (1994); Kudo (2001)
<b>Alydidae</b>					
<i>Riptortus clavatus</i> (Thunberg)	CN	F, S	Yes	No <sup>107</sup>	Choi <i>et al.</i> (2000); Hua (2000); Panizzi <i>et al.</i> (2000a)
<i>Riptortus pedestris</i> (F.)	CN	F, L	Yes	No <sup>108</sup>	DAFF (2009)
<b>Berytidae</b>					
<i>Gampsocoris pulchellus</i> (Dallas)	CN	L, S	Yes	No	Hua (2000); Yang (1982)
<i>Yemma signatus</i> (Hsiao)	CN	L, S	Yes	No	Hua (2000); Yang (1982)
<b>Coreidae</b>					
<i>Anoplocnemis phasiana</i> (F.)	CN	L	Yes	No	CASI (1994); Hill (1987)
<i>Cletus punctiger</i> (Dallas)	CN	F, Sd	Yes	No <sup>109</sup>	Ding <i>et al.</i> (2004); Hua (2000); Numata (2004)
<i>Cletus trigonus</i> (Thunberg)	CN	L, Sd	Yes	No <sup>110</sup>	CASI (1994); Kwon (1995); Mitchell (2000)
<i>Homoeocerus unipunctatus</i> (Thunberg)	CN	L	Yes	No	AQIS (1998); Gifu University (2006); Hua (2000)
<b>Cydnidae</b>					
<i>Geotomus pygmaeus</i> (Dallas)	CN, US (HI)	R	Yes	No	Hua (2000); Nishida (2002)
<b>Largidae</b>					
<i>Physopelta cincticollis</i> Stål	CN	I	Yes	No	AQIS (1998); Hua (2000); Kawabe (2006g)

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<b>Lygaeidae</b>					
<i>Geocoris proteus</i> Distant	CN	F, I, L, S, Sd <sup>111</sup>	Yes	No <sup>112</sup>	CASI (1994)
<i>Nysius plebejus</i> Distant	CN	I, L	Yes	No	CASI (1994); Sweet (2000a)
<i>Oxycarenus hyalinipennis</i> (Costa)	CN	F	Yes	No <sup>113</sup>	Avidov & Harpaz (1969); Hua (2000)
<b>Miridae</b>					
<i>Adelphocoris fasciaticollis</i> Reuter	CN	I	Yes	No	CASI (1994); Wu <i>et al.</i> (2002)
<i>Adelphocoris lineolatus</i> (Goeze)	CN, US	I, L	No	No	Henry & Wheeler (1998); Hua (2000); Wheeler (2001)
<i>Campylomma verbasci</i> (Meyer-Dür)	CN, US	F, I	No	No <sup>114</sup>	CABI (2007); Wheeler (2000a, 2001); Wu <i>et al.</i> (2004)
<i>Eosthenarus</i> (= <i>Sejanus</i> ) sp.	CN	L <sup>115</sup>	Yes	No	CASI (1994); Larivière & Larochelle (2004)
<i>Helopeltis antonii</i> Signoret	CN	F, L	Yes	No <sup>116</sup>	Hill (1983); Hua (2000); Nair (1975)
<i>Lygocoris</i> (= <i>Lygus</i> ) <i>lucorum</i> (Meyer-Dür)	CN, US	F, I, L	No	No <sup>117</sup>	CASI (1994); Henry & Wheeler (1998); Hua (2000); Liu <i>et al.</i> (2004)
<i>Lygocoris pabulinus</i> (L.)	CN, US	F, I, L, S	No	No <sup>118</sup>	Hill (1987); Hua (2000); Wheeler (2000a, 2001)
<i>Lygus</i> (= <i>Orthops</i> ) <i>kalmi</i> (L.)	CN	F, I, L <sup>119</sup>	Yes	No <sup>120</sup>	CASI (1994); Henry & Wheeler (1998); Hua (2000)
<i>Lygus pratensis</i> (L.)	CN	F, I, L	Yes	No <sup>120</sup>	Hill (1987); Hua (2000)
<b>Pentatomidae</b>					
<i>Aelia acuminata</i> (L.)	CN	Sd	Yes	No <sup>121</sup>	CASI (1994); Kiseleva (1940)
<i>Aenaria lewisi</i> (Scott)	CN	L, S	Yes	No	Aoki (2006); CASI (1994)
<i>Cahara jugatoria</i> (Lethierry) (= <i>Dalpada jugatoria</i> Lethierry, <i>D. taugiana</i> Ghauri)	CN	F <sup>122</sup>	Yes	No <sup>123</sup>	Ghauri (1978); Hua (2000)
<i>Carpocoris pudicus</i> (Poda) (= <i>C. purpureipennis</i> De Geer)	CN	Sd	Yes	No <sup>121</sup>	Anwar Cheema <i>et al.</i> (1973); CASI (1994); Hua (2000)
<i>Dalpada smaragdina</i> (Walker)	CN	F <sup>121</sup>	Yes	No <sup>124</sup>	CASI (1994)
<i>Dolycoris baccarum</i> (L.)	CN	F, L	Yes	No <sup>125</sup>	CASI (1994); Soerum (1977); Zacher (1922)

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<i>Dolycoris indicus</i> Stål	CN	L	Yes	No	Hua (2000); Kumar & Ahmad (2003)
<i>Erthesina fullo</i> (Thunberg)	CN	F, S	Yes	No <sup>126</sup>	Hameed (1978); High (2008); Hua (2000)
<i>Eurydema gebleri</i> Kolenati	CN	L, S	Yes	No	CASI (1994); CGRIS (2002d)
<i>Eusthenes cupreus</i> (Westwood) (= <i>Tessaratomia cupreus</i> Westwood)	CN	F, I, L, S <sup>127</sup>	Yes	No <sup>128</sup>	CASI (1994); Hua (2000)
<i>Eysarcoris</i> (= <i>Stollia</i> ) <i>ventralis</i> (Westwood)	CN, US (HI)	S	Yes	No	CABI (2007); CASI (1994); Hua (2000); Imura (2003); Nishida (2002)
<i>Glaucias subpunctatus</i> (Walker)	CN	F	Yes	No <sup>129</sup>	CASI (1994); Suzuki (2005)
<i>Halyomorpha halys</i> (Stål) (= <i>H. mista</i> [Uhler])	CN, US	F, L	No	No <sup>130</sup>	CABI (2007); Hamilton & Shearer (2003); Hoebeke & Carter (2003); Hua (2000)
<i>Halyomorpha picus</i> (F.)	CN	F, L	Yes	No <sup>131</sup>	High (2008)
<i>Homalogonia obtusa</i> (Walker)	CN	F, L	Yes	No <sup>132</sup>	Funayama (2002); Hua (2000)
<i>Hoplistodera fergussoni</i> Distant	CN	L, R, S <sup>133</sup>	Yes	No	CASI (1994)
<i>Laprius varicornis</i> (Dallas)	CN	L, R, S <sup>133</sup>	Yes	No	Hua (2000)
<i>Lelia decempunctata</i> (Motschulsky)	CN	L, S	Yes	No	CASI (1994); Doosan Corporation (2006a)
<i>Menida formosa</i> (Westwood)	CN	L, R, S <sup>133</sup>	Yes	No	Hua (2000)
<i>Menida violacea</i> Motschulsky	CN	I	Yes	No	CASI (1994); Doosan Corporation (2006b)
<i>Nezara antennata</i> Scott	CN	F, L	Yes	No <sup>134</sup>	CASI (1994); Li <i>et al.</i> (2001)
<i>Nezara viridula</i> (L.)	CN, US	F, L	No	No <sup>135</sup>	CABI (2007); Hill (1987); Hua (2000)
<i>Palomena angulosa</i> Motschulsky	CN	F, L	Yes	No <sup>136</sup>	CASI (1994); Panizzi <i>et al.</i> (2000b)
<i>Pentatoma japonica</i> (Distant)	CN	S	Yes	No	Doosan Corporation (2006c); Hua (2000); Shiraki (1952d)
<i>Pentatoma rufipes</i> (L.)	CN	F, L, S	Yes	No <sup>137</sup>	Hua (2000); Schuhmacher (1918)
<i>Pentatoma semiannulata</i> (Motschulsky)	CN	L, S	Yes	No	Doosan Corporation (2006d); Hua (2000)

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<i>Plautia stali</i> Scott	CN, US (HI)	F	Yes	No <sup>138</sup>	AQIS (1998); Hua (2000); Nishida (2002); Panizzi <i>et al.</i> (2000b)
<i>Rhaphigaster brevispina</i> Horvath (= <i>R. nebulosa</i> [Poda])	CN	F	Yes	No <sup>139</sup>	CASI (1994); Hua (2000); Viggiani & Mazzone (1976)
<i>Rhynchocoris humeralis</i> (Thunberg)	CN	F	Yes	No <sup>140</sup>	Hua (2000); Hill (1983)
<i>Rhynchocoris nigridens</i> Stål	CN	F <sup>141</sup>	Yes	No <sup>142</sup>	Hua (2000)
<i>Rubiconia intermedia</i> (Wolff)	CN	L, R, S <sup>133</sup>	Yes	No	Hua (2000)
<i>Stenozygum speciosum</i> (Dallas)	CN	F, L <sup>143</sup>	Yes	No <sup>144</sup>	Hua (2000)
<i>Tessarotoma quadrata</i> Distant	CN	F	Yes	No <sup>145</sup>	Hua (2000); Nair (1975)
<i>Urochela luteovaria</i> Distant	CN	F, I, L, S	Yes	No <sup>146</sup>	Hua (2000); Shiraki (1952d); Tseng & Ho (1937)
<b>Plataspidae</b>					
<i>Megacopta cribraria</i> (F.) (= <i>Coptosoma cribraria</i> F.)	CN	I, L, S	Yes	No	CASI (1994); Hua (2000); Thippeswamy & Rajagopal (2005)
<i>Megacopta cribrariella</i> Hsiao & Jen	CN	I, L, S <sup>147</sup>	Yes	No	Hua (2000)
<b>Rhopalidae</b>					
<i>Liorhyssus hyalinus</i> (F.)	CN, US	F	No	No <sup>148</sup>	Henry (1998); Hua (2000); Schaefer & Kotulski (2000)
<i>Rhopalus maculatus</i> (Fieber) (= <i>Aeschynoteles maculatus</i> Fieber)	CN	Sd	Yes	No <sup>149</sup>	Hua (2000); Ramos (2006); Sweet (2000a)
<b>Scutelleridae</b>					
<i>Eurygaster integriceps</i> Puton	CN	L, S	Yes	No	CASI (1994); Javahery <i>et al.</i> (2000)
<b>Tingidae</b>					
<i>Leptopypha capitata</i> (Jakovlev)	CN	L <sup>150</sup>	Yes	No	Hua (2000)
<i>Stephanitis</i> sp.	CN	L <sup>151</sup>	Yes	No	CASI (1994)
<i>Stephanitis ambigua</i> Horvath	CN	L	Yes	No	Clausen (1931); Hua (2000)
<i>Stephanitis nashi</i> Esaki & Takeya	CN	L	Yes	No	Drake & Hsiung (1936); Hua (2000)
<b>HOMOPTERA</b>					
<b>Aleyrodidae</b>					
<i>Aleurocanthus spiniferus</i> (Quaintance)	CN, US (HI)	L	Yes	No	CABI/EPPO (1997a); DAFF (2009)

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<i>Bemisia tabaci</i> (Gennadius)	CN, US	L	No	No	Avidov & Harpaz (1969); CABI (2007); Hua (2000)
<i>Dialeurodes citri</i> (Ashmead)	CN, US	L	No	No	CABI (2007); Hua (2000); Shiraki (1952a)
<b>Aphididae</b>					
<i>Aphidunguis mali</i> Takahashi	CN	R	Yes	No	Blackman & Eastop (1994)
<i>Aphidunguis pomiradicola</i> Zhang <i>et al.</i>	CN	R	Yes	No	Zhang <i>et al.</i> (1999)
<i>Aphis craccivora</i> Koch	CN, US	L	No	No	CABI (2007); Düzgünes & Toros (1978)
<i>Aphis fabae</i> Scopoli	CN, US	I, L	No	No	Blackman & Eastop (1994); CABI (2007)
<i>Aphis gossypii</i> Glover	CN, US	I, L, S	No	No	CABI (2007)
<i>Aphis pomi</i> DeGeer	CN, US	L	No	No	CABI (2007)
<i>Aphis spiraeicola</i> Patch (= <i>A. citricola</i> van der Goot)	CN, US	I, L	No	No	CABI (2007); CASI (1994)
<i>Brachycaudus helichrysi</i> (Kaltenbach)	CN, US	F, I, L	No	No <sup>152</sup>	CABI (2007); Ghosh & Raychaudhuri (1981); Hua (2000)
<i>Dysaphis anthrisci</i> Börner	CN	L	Yes	No	Blackman & Eastop (1994); Hua (2000)
<i>Dysaphis devector</i> (Walker)	CN	L	Yes	No	Blackman & Eastop (1994)
<i>Dysaphis plantaginea</i> (Passerini) (= <i>D. mali</i> [Ferrari])	CN, US	L	No	No	CABI (2007); Hill (1983); Hua (2000)
<i>Eriosoma lanigerum</i> (Hausmann)	CN, US	F, L, R, S	No	Yes	CABI (2007); Hill (1983); Nair (1975)
<i>Hyalopterus pruni</i> (Geoffroy)	CN, US	L	No	No	CABI (2007); Wang <i>et al.</i> (2001)
<i>Longistigma xizangensis</i> Zhang	CN	S <sup>153</sup>	Yes	No	Hua (2000)
<i>Macrosiphum euphorbiae</i> (Thomas)	CN, US	L	No	No	CABI (2007); Düzgünes & Toros (1978); Hill (1987)
<i>Macrosiphum rosae</i> (L.)	CN, US	I, L	No	No	Blackman & Eastop (1994); Hua (2000); Jaskiewicz (2006); Jensen <i>et al.</i> (1999)
<i>Myzus persicae</i> (Sulzer)	CN, US	L	No	No	CABI (2007)
<i>Nippolachnus pyri</i> Matsumura	CN	L	Yes	No	Blackman & Eastop (1994); CASI (1994)

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<i>Ovatus crataegarius</i> (Walker)	CN, US	L	No	No	Blackman & Eastop (1994); Hua (2000); Jensen <i>et al.</i> (1999)
<i>Ovatus malisuctus</i> (Matsumura) (= <i>Myzus malisuctus</i> Matsumura)	CN	F, L	Yes	Yes	CASI (1994); High (2008); Hua (2000)
<i>Phorodon</i> (= <i>Paraphorodon</i> , <i>Diphorodon</i> ) <i>canabis</i> Passerini	CN	L	Yes	No	Blackman & Eastop (2000); CASI (1994); Hua (2000); Nieto Nafria (2004)
<i>Phorodon humuli</i> (Schränk)	CN, US	L	No	No	CABI (2007); Hua (2000); Jensen <i>et al.</i> (1999)
<i>Prociphilus kuwanai</i> Monzen (= <i>P. crataegicola</i> Shinji)	CN	L	Yes	No	Blackman & Eastop (1994); CASI (1994); Hua (2000)
<i>Prociphilus oriens</i> Mordvilko	CN	L	Yes	No	Blackman & Eastop (1994)
<i>Pyrolachnus pyri</i> (Buckton)	CN	S	Yes	No	Blackman & Eastop (1994); Hua (2000)
<i>Rhopalosiphum padi</i> (L.)	CN, US	L	No	No	CABI (2007); Knight (1994)
<i>Schizaphis graminum</i> (Rondani)	CN, US	L	No	No	CABI (2007); CASI (1994)
<i>Siciunguis decima</i> Zhang <i>et al.</i>	CN	S	Yes	No	Zhang <i>et al.</i> (1999)
<i>Toxoptera aurantii</i> (Boyer de Fonscolombe)	CN, US	L	No	No	Blackman & Eastop (1994); CABI (2007); Hua (2000)
<i>Toxoptera citricida</i> (Kirkaldy)	CN, US	L, S	No	No	CABI (2007); Ghosh & Raychaudhuri (1981); Hua (2000)
<i>Toxoptera odinae</i> (van der Goot)	CN	L	Yes	No	Blackman & Eastop (1994); Hua (2000)
<i>Tuberocephalus momonis</i> (Matsumura) (= <i>Myzus momonis</i> Matsumura)	CN	L	Yes	No	Blackman & Eastop (1994); Hua (2000); Shiraki (1952a)
<b>Asterolecaniidae</b>					
<i>Russellaspis</i> (= <i>Asterodiaspis</i> , <i>Asterolecanium</i> ) <i>pustulans</i> (Cockerell)	CN, US	F, L, S	No	Yes	Cen (1986); Dean & Schuster (1970); Hamon (1977); Konstantinova (1976); Nishida (2002)
<b>Cercopidae</b>					
<i>Aphrophora bifasciata</i> (L.)	CN	L	Yes	No	Boheman (1849); Hua (2000)



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<i>Aphrophora flavomaculata</i> Matsumura	CN	L	Yes	No	Hua (2000); NILGS (2009a); Shiraki (1952d)
<i>Aphrophora intermedia</i> Uhler (= <i>Obiphora intermedia</i> [Uhler])	CN	L, S	Yes	No	CASI (1994); Hua (2000); Liang (2000); NIFTS (2009f)
<i>Aphrophora</i> (= <i>Petaphora</i> ) <i>maritima</i> Matsumura	CN	L	Yes	No	CASI (1994); Komatsu (1997); NILGS (2009a)
<i>Aphrophora obliqua</i> Uhler (= <i>Trigophora obliqua</i> Matsumura)	CN	S <sup>154</sup>	Yes	No	Hua (2000); Liang (2000)
<i>Eoscarta assimilis</i> Uhler (= <i>Eoscartopsis assimilis</i> Matsumura, <i>Paracercopis assimilis</i> Kwon & Lee)	CN	S	Yes	No	AQIS (1998); Hua (2000); Liang (2000); NIFTS (2009h); Shiraki (1952d)
<i>Philaenus spumarius</i> (L.)	CN, US	S	No	No	CABI (2007); Jenser & Hegab (1979)
<b>Cerococcidae</b>					
<i>Asterococcus muratae</i> (Kuwana) (= <i>Cerococcus muratae</i> Kuwana)	CN	S <sup>155</sup>	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000)
<b>Cicadellidae</b>					
<i>Alebra pallida</i> Dworakowska	CN	S	Yes	No	Hua (2000); Ostapenko (2008)
<i>Amrasca biguttula</i> (Ishida) (= <i>Empoasca biguttula</i> [Shiraki])	CN	L	Yes	No	CASI (1994); Hua (2000); Schreiner (2000)
<i>Aphrodes bifasciata</i> (L.)	CN	L <sup>156</sup>	Yes	No	CASI (1994)
<i>Arboridia</i> (= <i>Erythroneura</i> ) <i>apicalis</i> (Nawa)	CN	L	Yes	No	CASI (1994); Hua (2000); Miyazaki (1991)
<i>Asymmetrasca decedens</i> (Paoli) (= <i>Empoasca decedens</i> Paoli)	CN	L	Yes	No	Cai <i>et al.</i> (2001); Hill (1987); Nestel & Klein (1995)
<i>Bothrogonia ferruginea</i> (F.)	CN	L	Yes	No	CASI (1994); Hill (1987)
<i>Bothrogonia sinica</i> Yang & Li	CN	L <sup>157</sup>	Yes	No	Hua (2000)
<i>Cicadella</i> (= <i>Tettigella</i> , <i>Tettigoniella</i> ) <i>viridis</i> (L.)	CN	S	Yes	No	CASI (1994); Hua (2000); Schmutzenhofer <i>et al.</i> (1996); Van Frankenhuyzen (1968)

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<i>Cicadula ferruginea</i> (F.) (= <i>Cicadella ferruginea</i> China)	CN	L <sup>158</sup>	Yes	No	CASI (1994); Hua (2000)
<i>Edwardsiana</i> (= <i>Typhlocyba</i> ) <i>rosae</i> (L.)	CN, US	L	No	No	CABI (2007); Hill (1987); Hua (2000)
<i>Empoasca butleri</i> Edwards	CN	L	Yes	No	Hill (1987); Hua (2000)
<i>Empoasca fabae</i> (Harris) (= <i>E. mali</i> LeBaron)	CN, US	L	No	No	CABI (2007); CASI (1994); Hua (2000)
<i>Empoasca flavescens</i> (F.)	CN	L	Yes	No	Hill (1983); Hua (2000)
<i>Empoasca soosi</i> Dworakowska	CN	L <sup>159</sup>	Yes	No	Hill (1987); Hua (2000)
<i>Empoasca vitis</i> (Göthe)	CN	L	Yes	No	Decante & van Helden (2006); Hua (2000)
<i>Erythroneura sudra</i> (Distant)	CN	L	Yes	No	Hua (2000); Lin (1979)
<i>Eutettix apricus</i> Melichar	CN	L	Yes	No	Hua (2000); Lin <i>et al.</i> (2007)
<i>Hishimonus sellatus</i> (Uhler)	CN	L, S	Yes	No	Sun <i>et al.</i> (1988); Kusunoki <i>et al.</i> (2002)
<i>Iassus rubiginosus</i> Kuoh	CN	S <sup>160</sup>	Yes	No	Hua (2000)
<i>Ishidaella albomarginata</i> (Signoret)	CN	L <sup>158</sup>	Yes		CASI (1994)
<i>Ledra auditura</i> Walker	CN	L	Yes	No	Hua (2000); Tsukiji (2008f)
<i>Ledra bilobata</i> Schumacher	CN	L <sup>158</sup>	Yes	No	Hua (2000)
<i>Naratettix zonatus</i> (Matsumura)	CN	L	Yes	No	Anonymous (2009f); Hua (2000)
<i>Neotettix kongosana</i> (Matsumura)	CN	L <sup>158</sup>	Yes	No	Hua (2000)
<i>Nephotettix cincticeps</i> (Uhler)	CN	F, S	Yes	No <sup>161</sup>	DAFF (2009); High (2008)
<i>Penthimia melanocephala</i> Motschulsky	CN	L <sup>162</sup>	Yes	No	Hua (2000)
<i>Penthimia nitida</i> Lethierry	CN	L	Yes	No	Hua (2000); Tayutivitukul & Kusigemati (1992)
<i>Petaloccephala</i> sp.	CN	L, S <sup>163</sup>	Yes	No	CASI (1994)
<i>Populicerus populi</i> (L.) (= <i>Idiocerus populi</i> L.)	CN	L, S	Yes	No	CASI (1994); Hua (2000); Régner (1921)
<i>Tettigoniella</i> sp.	CN	L <sup>164</sup>	Yes	No	CASI (1994)

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<i>Zyginella mali</i> (Yang) (= <i>Pyramidotettix mali</i> Yang)	CN	L	Yes	No	CASI (1994); Hua (2000); Li (1988)
<i>Zyginella minuta</i> (Yang) (= <i>Pyramidotettix minuta</i> Yang)	CN	L <sup>165</sup>	Yes	No	CASI (1994); Hua (2000)
<b>Cicadidae</b>					
<i>Cryptotympana atrata</i> (F.) (= <i>C. dubia</i> Haupt, <i>C. pustulata</i> F.)	CN	S	Yes	No	CASI (1994); Hua (2000); KNA (2009); Lee (2008); She <i>et al.</i> (2005)
<i>Cryptotympana mandarina</i> Distant	CN	S <sup>166</sup>	Yes	No	Hua (2000)
<i>Graptopsaltria colorata</i> Stål	CN	F, S	Yes	Yes	Hua (2000); Takahashi (1930)
<i>Graptopsaltria nigrofasciata</i> (Motschulsky)	CN	F, S	Yes	No <sup>167</sup>	Aizu <i>et al.</i> (1984); Hua (2000); Shiraki (1952d); Yago (1937)
<i>Meimuna</i> sp.	CN	R, S <sup>168</sup>	Yes	No	CASI (1994)
<i>Meimuna opalifera</i> (Walker)	CN	R, S <sup>168</sup>	Yes	No	Hua (2000)
<i>Oncotympana maculaticollis</i> (Motschulsky)	CN	S	Yes	No	Hua (2000); Kawabe (2009g)
<i>Platypleura hilpa</i> Walker	CN	S <sup>169</sup>	Yes	No	Hua (2000)
<i>Platypleura kaempferi</i> (F.)	CN	S	Yes	No	Hua (2000); Uematsu & Onogi (1980)
<b>Cixiidae</b>					
<i>Andes</i> (= <i>Brixia</i> ) <i>marmoratus</i> (Uhler)	CN	L, S	Yes	No	CASI (1994); Hua (2000); Tanaka (2004)
<i>Andes melanobasis</i> Ishihara	CN	L, S <sup>170</sup>	Yes	No	CASI (1994)
<b>Coccidae</b>					
<i>Acanthopulvinaria orientalis</i> (Nasonov)	CN	R	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000)
<i>Ceroplastes centroroseus</i> Chen	CN	L <sup>171</sup>	Yes	No	CASI (1994)
<i>Ceroplastes ceriferus</i> Green <sup>172</sup>	CN	S	Yes	No	High (2008)
<i>Ceroplastes ceriferus</i> (F.)	CN, US	L, S	No	No	CABI (2007); CASI (1994)
<i>Ceroplastes floridensis</i> Comstock	CN, US	L, S	No	No	CABI (2007); Hua (2000)

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<i>Ceroplastes japonicus</i> Green (= <i>Paracerostegia japonica</i> Tang)	CN	F, L, S	Yes	Yes	Ben-Dov <i>et al.</i> (2006); Hua (2000); Konstantinova & Gura (1986); Miyanoshita & Kawai (1992)
<i>Ceroplastes pseudoceriferus</i> Green	CN	L	Yes	No	Ben-Dov <i>et al.</i> (2006); Waite (2002)
<i>Ceroplastes rubens</i> Maskell	CN, US	L, S	No	No	CABI (2007); Hua (2000)
<i>Coccis discrepans</i> (Green)	CN	L, R, S	Yes	No	AQIS (1998); Gowdey (1917); Hua (2000); Pantoja & Peña (2007)
<i>Coccis hesperidum</i> (L.)	CN, US	L, S	No	No	CABI (2007); Davoodi <i>et al.</i> (2004); Hua (2000)
<i>Coccis viridis</i> (Green)	CN, US	F, L	No	Yes	CABI (2007); Hua (2000)
<i>Didesmococcus koreanus</i> Borchsenius	CN	S	Yes	No	Zhang <i>et al.</i> (2001); Zhao (2002)
<i>Didesmococcus unifasciatus</i> (Archangelskaya)	CN	S	Yes	No	Ben-Dov <i>et al.</i> (2006); Fowjhan & Kozar (1994)
<i>Eulecanium alnicola</i> Chen <sup>173</sup>	CN	L, S <sup>174</sup>	Yes	No	Ben-Dov <i>et al.</i> (2006); CASI (1994)
<i>Eulecanium cerasorum</i> (Cockerell)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); Hua (2000); Kosztarab (1997)
<i>Eulecanium excrescens</i> (Ferris) (= <i>Lecanium excrescens</i> Ferris)	CN, US	S	No	No	Ben-Dov <i>et al.</i> (2006); Ferris (1920); Hua (2000)
<i>Eulecanium kunoense</i> (Kuwana) (= <i>Lecanium kunoensis</i> Kuwana)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); High (2008); Hua (2000); KNA (2009); Pfeiffer (1997)
<i>Eulecanium rugulosum</i> (Archangelskaya)	CN	S	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000); Yanik & Yücel (2001)
<i>Eulecanium tiliae</i> (L.) (= <i>E. coryli</i> L.)	CN, US	L, S	No	No	CABI (2007); Hua (2000); Nair (1975)
<i>Kilifia acuminata</i> (Signoret)	CN, US	L	No	No	AQIS (1998); Ben-Dov <i>et al.</i> (2006); Salama & Saleh (1971)
<i>Metaceronema japonica</i> (Maskell)	CN	L, S	Yes	No	Hua (2000); Joshi & Rai (1987)
<i>Parasaissetia nigra</i> (Nietner)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); Kosztarab (1997); Pfeiffer (1997)

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<i>Parthenolecanium corni</i> (Bouché) (= <i>P. orientalis</i> Borchsenius)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); CABI (2007); CASI (1994)
<i>Parthenolecanium glandi</i> (Kuwana)	CN	S	Yes	No	Anonymous (1920); Ben-Dov <i>et al.</i> (2006); Pfeiffer (1997)
<i>Parthenolecanium persicae</i> (F.)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); Hill (1987)
<i>Pulvinaria psidii</i> (= <i>Chloropulvinaria psidii</i> Borchsenius)	CN, US	L, S	No	No	CABI (2007); CASI (1994)
<i>Rhodococcus sariuni</i> Borchsenius	CN	L, S	Yes	No	CNAK (2009); Hua (2000)
<i>Rhodococcus turanicus</i> (Archangelskaya)	CN	L, S <sup>175</sup>	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000)
<i>Saissetia citricola</i> (Kuwana) (= <i>Takahashia citricola</i> Kuwana)	CN	S	Yes	No	CASI (1994); Hua (2000); Umeya & Okada (2003)
<i>Saissetia oleae</i> (Olivier)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); Hua (2000); Kosztarab (1997)
<i>Sphaerolecanium prunastri</i> (Boyer de Fonscolombe)	CN, US	S	No	No	Ben-Dov <i>et al.</i> (2006); Pfeiffer (1997)
<i>Takahashia japonica</i> (Cockerell)	CN	S	Yes	No	AQIS (1998); Hua (2000); NAAS (2009)
<b>Diaspididae</b>					
<i>Andaspis hawaiiensis</i> (Maskell)	CN, US	S	No	No	AQIS (1998); Ben-Dov <i>et al.</i> (2006); Hua (2000)
<i>Aonidiella aurantii</i> (Maskell)	CN, US	F, L, S	No	Yes	CABI (2007); Hua (2000)
<i>Aonidiella citrina</i> (Coquillett)	CN, US	F, L	No	Yes	Ben-Dov <i>et al.</i> (2006); Hua (2000)
<i>Aonidiella taxus</i> Leonardi	CN, US	L	No	No	Ben-Dov <i>et al.</i> (2006); Hua (2000); Shiraki (1952a)
<i>Aspidiotus nerii</i> Bouché (= <i>A. hederae</i> Vallot)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); CABI (2007); CASI (1994); Konstantinova (1976)
<i>Chrysomphalus aonidium</i> (L.)	CN, US	F, L, S	No	Yes	CABI (2007)
<i>Chrysomphalus dictyospermi</i> (Morgan)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); CABI (2007)

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<i>Diaspidiotus</i> (= <i>Quadraspidiotus</i> ) <i>ostreaeformis</i> (Curtis)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); Hill (1983); Hua (2000); McLaren (1989)
<i>Diaspidiotus</i> (= <i>Quadraspidiotus</i> ) <i>perniciosus</i> (Comstock) (= <i>Comstockaspis perniciosus</i> MacGillivray)	CN, US	F, L, S	No	Yes	CABI (2007); Hill (1983); Hua (2000); KNA (2009)
<i>Diaspidiotus</i> (= <i>Quadraspidiotus</i> ) <i>slavonicus</i> (Green)	CN	L	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000)
<i>Hemiberlesia lataniae</i> (Signoret) (= <i>Aspidiotus cydoniae</i> Comstock)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); CABI (2007); Nair (1975)
<i>Hemiberlesia rapax</i> (Comstock)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); Hua (2000)
<i>Howardia biclavis</i> (Comstock)	CN, US	S	No	No	Ben-Dov <i>et al.</i> (2006)
<i>Lepidosaphes</i> (= <i>Mytilaspis</i> ) <i>conchiformis</i> (Gmelin) (= <i>L. conchiformioides</i> Borchsenius)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); CASI (1994); Hua (2000); Kawaguchi (1935)
<i>Lepidosaphes coreana</i> (Borchsenius) (= <i>Paralepidosaphes coreana</i> Borchsenius)	CN	S	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000); You (2004)
<i>Lepidosaphes</i> (= <i>Corniaspis</i> ) <i>cupressi</i> Borchsenius	CN	L, S	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000); Xu <i>et al.</i> (1995); Yukinari (1989)
<i>Lepidosaphes kuwana</i> (= <i>L. ume</i> Kuwana)	CN	F, L, S	Yes	Yes	Ben-Dov <i>et al.</i> (2010); High (2008)
<i>Lepidosaphes pistaciae</i> Archangelskaya	CN	F, L, S	Yes	Yes	Watson (2005)
<i>Lepidosaphes tubulorum</i> Ferris	CN	S	Yes	No	Anonymous (2009c); Hua (2000); Shiraki (1952a)
<i>Lepidosaphes ulmi</i> (L.)	CN, US	F, L, S	No	Yes	CABI (2007)
<i>Lepidosaphes ussuriensis</i> (Borchsenius) (= <i>Paralepidosaphes ussuriensis</i> Borchsenius)	CN	S	Yes	No	Anonymous (2009c); Hua (2000); Konstantinova (1976)

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<i>Lopholeucaspis</i> (= <i>Leucaspis</i> ) <i>japonica</i> (Cockerell)	CN, US	F, L, S	No	Yes	CABI/EPPO (1997b); CASI (1994); Kukhtina (1970b)
<i>Parlatoresopsis</i> (= <i>Paralepidosaphes</i> ) <i>chinensis</i> (Marlatt)	CN, US	S	No	No	Ben-Dov <i>et al.</i> (2006); Hua (2000)
<i>Parlatoresopsis pyri</i> (Marlatt)	CN, US	S <sup>176</sup>	No	No	Ben-Dov <i>et al.</i> (2006)
<i>Parlatoria camelliae</i> Comstock	CN, US	L	No	No	Ben-Dov <i>et al.</i> (2006); CASI (1994)
<i>Parlatoria cinerea</i> Doane & Hadden	CN	F, S	Yes	Yes	Avidov & Harpaz (1969); Ben-Dov <i>et al.</i> (2006); Rose (1990)
<i>Parlatoria desolator</i> McKenzie	CN	F, L, S <sup>177</sup>	Yes	Yes	Ben-Dov <i>et al.</i> (2006)
<i>Parlatoria oleae</i> (Colvée)	CN, US	F, L, S	No	Yes	CABI (2007)
<i>Parlatoria pergandii</i> Comstock	CN, US	F, L, S	No	Yes	CABI (2007)
<i>Parlatoria proteus</i> (Curtis)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); Kosztarab (1996)
<i>Parlatoria theae</i> Cockerell	CN, US	S	No	No	Ben-Dov <i>et al.</i> (2006); Watson (2005)
<i>Parlatoria yanyuanensis</i> Tang	CN	F, L, S <sup>177</sup>	Yes	Yes	Ben-Dov <i>et al.</i> (2006)
<i>Pseudaonidia duplex</i> (Cockerell)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); CASI (1994); Watson (2005)
<i>Pseudaonidia trilobitiformis</i> (Green)	CN, US	L	No	No	Ben-Dov <i>et al.</i> (2006); Hua (2000); Shiraki (1952a); Watson (2005)
<i>Pseudaulacaspis pentagona</i> (Targioni Tozzetti)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); CABI (2007); Hill (1983)
<i>Pseudaulacaspis prunicola</i> (Maskell)	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); Davidson & Miller (1990); Kozár (1990)
<b>Dictyopharidae</b>					
<i>Dictyophara</i> sp.	CN	L, S <sup>178</sup>	Yes	No	CASI (1994)
<i>Dictyophara nakanonis</i> Matsumura	CN	S	Yes	No	CASI (1994); Doosan Corporation (2009a)
<i>Dictyophara patruelis</i> (Stål)	CN	L, S <sup>178</sup>	Yes	No	Hua (2000)
<i>Dictyophara sinica</i> Walker	CN	L, S <sup>178</sup>	Yes	No	Hua (2000)

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<b>Eriococcidae</b>					
<i>Eriococcus lagerstroemiae</i> Kuwana	CN	S	Yes	No	Ben-Dov <i>et al.</i> (2006); NIAST (2001)
<i>Eriococcus tokaedae</i> Kuwana	CN	S	Yes	No	AQIS (1998); Hua (2000); Kuwana (1932)
<b>Flatidae</b>					
<i>Geisha distinctissima</i> (Walker)	CN	L	Yes	No	Hill (1987); Hua (2000)
<i>Salurnis marginella</i> (Guerin-Meneville)	CN	S	Yes	No	Baidu (2009b); CASI (1994)
<b>Fulgoridae</b>					
<i>Lycorma delicatula</i> (White)	CN	L, S	Yes	No	CASI (1994); Ding <i>et al.</i> (2006)
<b>Issidae</b>					
<i>Gergithus variabilis</i> (Butler)	CN	L, S	Yes	No	Hua (2000); Takashi (2009)
<i>Sivaloka damnosus</i> Chou & Lu	CN	S	Yes	No	Hua (2000); Yan <i>et al.</i> (2005)
<b>Lecanodiaspididae</b>					
<i>Cresococcus candidus</i> Wang	CN	S <sup>179</sup>	Yes	No	CASI (1994)
<b>Margarodidae</b>					
<i>Drosicha contrahens</i> Walker	CN	S	Yes	No	Ben-Dov <i>et al.</i> (2006); Chu (1934)
<i>Drosicha corpulenta</i> (Kuwana)	CN	S	Yes	No	Ben-Dov <i>et al.</i> (2006); Xu <i>et al.</i> (1999)
<i>Drosicha maskelli</i> (Cockerell)	CN	L, S <sup>180</sup>	Yes	No	Hua (2000)
<i>Icerya aegyptiaca</i> Douglas	CN	L, S	Yes	No	CABI (2007); Hill (1983)
<i>Icerya purchasi</i> Maskell	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); Hill (1983); Hua (2000)
<b>Membracidae</b>					
<i>Ceresa alta</i> Walker (= <i>C. bubalus</i> [F.])	CN, US	S	No	No	CABI (2007); CASI (1994)
<i>Leptobelus</i> sp.	CN	S <sup>181</sup>	Yes	No	CASI (1994)
<i>Leptobelus gazella</i> (Fairmaire)	CN	S <sup>181</sup>	Yes	No	Hua (2000)
<i>Leptocentrus decurvatus</i> Funkhouser <sup>182</sup>	CN	S <sup>183</sup>	Yes	No	Hua (2000)
<i>Machaerotypus</i> sp.	CN	S <sup>184</sup>	Yes	No	CASI (1994)
<i>Machaerotypus mali</i> Chou & Yuan	CN	S <sup>184</sup>	Yes	No	Hua (2000)
<i>Maurya rotundidentacula</i> Yuan	CN	S <sup>185</sup>	Yes	No	Hua (2000)
<i>Pantaleon</i> sp.	CN	S <sup>185</sup>	Yes	No	CASI (1994)



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<i>Pantaleon dorsalis</i> (Matsumura)	CN	S <sup>185</sup>	Yes	No	Hua (2000)
<i>Tsunozemia mojiensis</i> (Matsumura)	CN	S <sup>185</sup>	Yes	No	CASI (1994)
<b>Pseudococcidae</b>					
<i>Coccurea</i> (= <i>Rosanococcus</i> ) <i>suwakoensis</i> (Kuwana & Toyoda)	CN	S	Yes	No	Ben-Dov <i>et al.</i> (2006); Hua (2000); Shiraki (1952a)
<i>Dysmicoccus</i> (= <i>Pseudococcus</i> ) <i>brevipes</i> (Cockerell)	CN, US	F, L, S	No	Yes	CABI (2007); Lu & Lai (1999)
<i>Dysmicoccus wistariae</i> (Green)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); Lattin (1998)
<i>Ferrisia</i> (= <i>Ferrisiana</i> ) <i>virgata</i> (Cockerell)	CN, US	F, L	No	Yes	Ben-Dov <i>et al.</i> (2006); CABI (2007); CASI (1994)
<i>Maconellicoccus hirsutus</i> (Green)	CN, US	F	No	Yes	CABI (2007); PPQ interception <sup>96</sup>
<i>Phenacoccus aceris</i> (Signoret) (= <i>P. prunicola</i> Borchsenius)	CN, US	L, S	No	No	Ben-Dov <i>et al.</i> (2006); CASI (1994)
<i>Phenacoccus pergandei</i> Cockerell	CN	L	Yes	No	Cockerell (1896); Hua (2000)
<i>Planococcus citri</i> (Risso)	CN, US	F, I, R	No	Yes	Ben-Dov <i>et al.</i> (2006); CABI (2007)
<i>Pseudococcus calceolariae</i> (Maskell) (= <i>P. gahani</i> Green)	CN, US	F, L, S	No	Yes	CABI (2007); CASI (1994); Charles (1993); Viggiani & Battaglia (1983)
<i>Pseudococcus comstocki</i> (Kuwana)	CN, US	F, L, S	No	Yes	CABI (2007)
<i>Pseudococcus cryptus</i> Hempel (= <i>P. citriculus</i> Green)	CN, US (HI)	F, L, R, S	Yes	Yes	Ben-Dov <i>et al.</i> (2006); CASI (1994); Kukhtina (1970a)
<i>Pseudococcus longispinus</i> Targioni Tozzetti	CN, US	F, L, S	No	Yes	Ben-Dov <i>et al.</i> (2006); CABI (2007)
<i>Pseudococcus maritimus</i> (Ehrhorn)	CN, US	L	No	No	Ben-Dov <i>et al.</i> (2006); CASI (1994)
<i>Pseudococcus viburni</i> (Signoret)	CN, US	F, I, L, R, S	No	Yes	Ben-Dov <i>et al.</i> (2006)
<i>Spilococcus</i> (= <i>Atrococcus</i> ) <i>pacificus</i> (Borchsenius)	CN	S	Yes	No	Anonymous (2009a); Ben-Dov <i>et al.</i> (2006); Hua (2000)

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<b>Psyllidae</b>					
<i>Anomoneura mori</i> Schwarz	CN	L	Yes	No	Hua (2000); Kuwayama (1971)
<i>Cacopsylla mali</i> (Schmidberger) (= <i>Psylla mali</i> Schmidberger)	CN, US	I, L	No	No	CABI (2007); Hill (1983); Li (1992); Metcalf & Metcalf (1993)
<i>Cacopsylla malicola</i> Li	CN	L <sup>186</sup>	Yes	No	Li (1992)
<i>Cacopsylla pyri</i> (L.)	CN	L, S	Yes	No	Breniaux (2001); CABI (2007)
<i>Cacopsylla pyrisuga</i> (Förster) (= <i>Psylla pyrisuga</i> Förster)	CN	L, S	Yes	No	CABI (2007); Hua (2000)
<i>Cacopsylla chinensis</i> (Yang & Li) (= <i>Psylla chinensis</i> Yang & Li)	CN	I, L	Yes	No	CASI (1994); Yang <i>et al.</i> (2004)
<b>Ricanidae</b>					
<i>Euricania ocellus</i> (Walker)	CN	S	Yes	No	Anonymous (2008e); Hua (2000); Shiraki (1952a)
<i>Ricania japonica</i> Melichar	CN	L	Yes	No	Hua (2000); Dzhashi <i>et al.</i> (1982)
<i>Ricania simulans</i> (Walker)	CN	L, S <sup>187</sup>	Yes	No	Hua (2000)
<i>Ricania speculum</i> (Walker)	CN	L, S	Yes	No	Hill (1983); Hua (2000)
<b>HYMENOPTERA</b>					
<b>Argidae</b>					
<i>Arge mali</i> (Takahashi) (= <i>Hylotoma mali</i> Takahashi)	CN	L	Yes	No	Anonymous (1919); CASI (1994); Johnson (2007)
<b>Cephidae</b>					
<i>Janus piri</i> Okamoto & Muramatsu	CN	S	Yes	No	Hua (2006); NIAST (2008)
<b>Tenthredinidae</b>					
<i>Caliroa cerasi</i> L.	CN, US	L	No	No	CABI (2007)
<i>Hoplocampa pyricola</i> Rohwer	CN	F, I	Yes	No <sup>188</sup>	DAFF (2009)
<i>Priophorus</i> sp.	CN	L <sup>189</sup>	Yes	No	CASI (1994)
<b>Vespidae</b>					
<i>Polistes olivaceus</i> (De Geer)	CN, US (HI)	?	Yes	No <sup>190</sup>	High (2008); Leong & Grace (2008)
<i>Vespa mandarina</i> Smith	CN	F	Yes	No <sup>191</sup>	High (2008)

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<b>ISOPTERA</b>					
<b>Rhinotermitidae</b>					
<i>Reticulitermes speratus</i> (Kolbe) (= <i>Leucotermes speratus</i> Kolbe)	CN, US (HI)	R, S	Yes	No	Hua (2000); Nemoto <i>et al.</i> (1998); Nishida (2002); Shiraki (1952a); Tokuda <i>et al.</i> (2005)
<b>Termitidae</b>					
<i>Odontotermes formosanus</i> (Shiraki)	CN	R	Yes	No	CASI (1994); Doan (1971)
<b>LEPIDOPTERA</b>					
<b>Arctiidae</b>					
<i>Aloa lactinea</i> (Cramer) (= <i>Amsacta lactinea</i> Cramer)	CN	L	Yes	No	CASI (1994); Hua (2005); Wen <i>et al.</i> (1991)
<i>Alphaea phasma</i> (Leech)	CN	L	Yes	No	CASI (1994); Zhongshan City (2009)
<i>Amata fortunei</i> (Orza)	CN	L	Yes	No	Hua (2005); Shiraki (1952b); Tsukiji (2008e)
<i>Arctia caja</i> (L.)	CN, US	F, L	No	No <sup>192</sup>	Drees & Schwitulla (1957); Ferguson <i>et al.</i> (1999); Hua (2005); Savela (2009)
<i>Asura strigipennis</i> (Herrich-Schäffer)	CN	L <sup>193</sup>	Yes	No	Hua (2005)
<i>Cretonotus transiens</i> (Walker)	CN	L	Yes	No	CASI (1994); Zhang <i>et al.</i> (2008b)
<i>Cyana</i> (= <i>Chionaema</i> ) <i>phaedra</i> (Leech)	CN	L <sup>194</sup>	Yes	No	CASI (1994); Hua (2005)
<i>Eilema</i> (= <i>Lithosia</i> ) <i>quadra</i> (L.)	CN	L	Yes	No	Buckler (1874); CASI (1994); Hua (2005)
<i>Hyphantria cunea</i> (Drury)	CN, US	L	No	No	CABI (2007)
<i>Lemyra imparilis</i> (Butler)	CN	L	Yes	No	Hua (2005); NIFTS (2009i); Zhang (1994)
<i>Lemyra inferens</i> (Butler) (= <i>Spilarctia infernalis</i> [Butler], <i>Spilosoma inferens</i> Butler)	CN	L	Yes	No	CASI (1994); Hua (2005); Pan <i>et al.</i> (2007); Zhang (1994)
<i>Phragmatobia fuliginosa</i> (L.)	CN, US	L	No	No	Hua (2005); Opler <i>et al.</i> (2009); Sannino <i>et al.</i> (1988); Zhang (1994)

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<i>Spilarctia seriatopunctata</i> (Motschulsky) (= <i>Spilosoma seriatopunctata</i> Motsh.)	CN	L	Yes	No	CASI (1994); Hua (2005); Kawabe (2009e)
<i>Spilosoma lubricipeda</i> (L.)	CN	L	Yes	No	Hua (2005); Sengalevich (1960)
<i>Spilosoma niveus</i> (Menetries)	CN	L <sup>195</sup>	Yes	No	CASI (1994)
<b>Argyresthiidae</b>					
<i>Argyresthia andereggiella</i> Duponchel	CN, US	L	No	No	Beutenmüller (1890); Hua (2005); Zhang (1994)
<i>Argyresthia assimilis</i> Moriuti	CN	F, I <sup>196</sup>	Yes	Yes	Hua (2005)
<i>Argyresthia conjugella</i> Zeller	CN, US	F	No	Yes	Carter (1984); Hua (2005); Klots (1932); Zhang (1994)
<b>Carposinidae</b>					
<i>Carposina niponensis</i> Walsingham	CN	F	Yes	Yes	CASI (1994); Narita & Takahashi (1985)
<i>Carposina percicana</i> Sasaki	CN	F <sup>197</sup>	Yes	Yes	Hua (2005)
<i>Carposina sasakii</i> Matsumura	CN	F	Yes	Yes	CABI (1990); Ishiguri & Toyoshima (2006)
<b>Choreutidae</b>					
<i>Choreutis</i> (= <i>Anthophila</i> , <i>Eutromula</i> ) <i>pariana</i> (Clerck)	CN, US	F, L	No	Yes	Heppner (1978); Hua (2005); Lawson <i>et al.</i> (1994); Yin <i>et al.</i> (1987)
<b>Coleophoridae</b>					
<i>Coleophora malivorella</i> Riley	CN, US	F, I, L	No	No <sup>198</sup>	CASI (1994); Lügger (1899); Opler <i>et al.</i> (2009); Slingerland & Crosby (1914)
<i>Coleophora nigricella</i> Stephens	CN, US	L	No	No	Hill (1987); Hua (2005)
<b>Cossidae</b>					
<i>Catopta mongolicus</i> Erschoff	CN	R <sup>199</sup>	Yes	No	Hua (2005)
<i>Cossus cossus</i> L.	CN	S	Yes	No	CABI (2007)
<i>Cossus jezoensis</i> (Matsumura)	CN	S	Yes	No	AQIS (1998); Hua (2005); Yoshimoto & Nishida (2007)
<i>Cossus mongolicus</i> Erschoff	CN	S	Yes	No	Fan <i>et al.</i> (1986); Hua (2005)

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<i>Holcocerus arenicolus</i> (Staudinger)	CN	R	Yes	No	CABI (2007); Hu <i>et al.</i> (1987)
<i>Holcocerus insularis</i> Staudinger	CN	S	Yes	No	Bedding ([s.d.]); Hua (2005)
<i>Holcocerus vicarius</i> (Walker)	CN	R, S <sup>200</sup>	Yes	No	Hua (2005)
<i>Xyleutes persona</i> (Le Guillou) (= <i>Zeuzera leuconota</i> Walker)	CN	S <sup>201</sup>	Yes	No	CASI (1994); Hua (2005)
<i>Zeuzera coffeae</i> Nietner	CN	S	Yes	No	CABI (2007)
<i>Zeuzera multistrigata</i> (Moore)	CN	S	Yes	No	Hua (2005); Kumar & Singh (2008)
<i>Zeuzera pyrina</i> (L.)	CN, US	S	No	No	CABI (2007); Hua (2005)
<b>Gelechiidae</b>					
<i>Anarsia lineatella</i> Zeller	CN, US	F, L	No	Yes	CABI (2007); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Dichomeris ustalella</i> (F.)	CN	L	Yes	No	FES (2009a); Hua (2005)
<i>Evippe</i> sp.	CN	L <sup>202</sup>	Yes	No	CASI (1994)
<i>Evippe syriactis</i> (Meyrick)	CN	L <sup>202</sup>	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Gelechia rhombella</i> (Denis & Schiffmüller)	CN	L	Yes	No	FES (2009b); Hua (2005)
<i>Odites ricinella</i> Stainton	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Psoricoptera gibbosella</i> (Zeller)	CN	L	Yes	No	Arahou <i>et al.</i> (1991); Hua (2005)
<i>Recurvaria syriactis</i> Meyrick	CN	L	Yes	No	Cao & Guo (1987); Zhang (1994)
<i>Scythropiodes</i> (= <i>Odites</i> , <i>Psecadia</i> ) <i>issikii</i> (Takahashi)	CN	L	Yes	No	Hua (2005); Park & Wu (1997); Tsukiji (2008h)
<i>Scythropiodes</i> (= <i>Odites</i> ) <i>leucostola</i> (Meyrick)	CN	L	Yes	No	CASI (1994); Kawabe (2009i); Park & Wu (1997)
<i>Scythropiodes</i> (= <i>Odites</i> ) <i>malivora</i> (Meyrick) <sup>203</sup>	CN	L	Yes	No	Hua (2005); Kondo & Miyahara (1931); Park & Wu (1997)
<i>Telphusa chloroderces</i> Meyrick	CN	L	Yes	No	Anonymous (2009d); Hua (2005)
<b>Geometridae</b>					
<i>Abraxas grossulariata</i> (L.)	CN	L	Yes	No	Carter (1984); Hua (2005); Robinson <i>et al.</i> (2001)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Alsophila tenuis</i> (Butler) (= <i>A. punctigera</i> Prout)	CN	L <sup>204</sup>	Yes	No	Hua (2005); Sawamoto (1938)
<i>Amraica</i> (= <i>Buzura</i> ) <i>superans</i> (Butler)	CN	L	Yes	No	Doosan Corporation (2009e); Hua (2005); Scoble (1999b); Shiraki (1952b)
<i>Apocheima</i> sp.	CN	L <sup>205</sup>	Yes	No	CASI (1994)
<i>Apocheima cinerarius</i> (Ershov)	CN	L	Yes	No	Hu <i>et al.</i> (2001); Zhang (1994)
<i>Apocheima</i> (= <i>Zamacra</i> ) <i>excavata</i> (Dyar)	CN	L	Yes	No	Baidu (2009a); CASI (1994); Scoble (1999b)
<i>Apocheima sinuosaria</i> (Leech) (= <i>Phigalia sinuosaria</i> Leech)	CN	L	Yes	No	Chang & Lin (1939); Zhang (1994)
<i>Ascotis</i> (= <i>Boarmia</i> ) <i>selenaria</i> (Denis & Schiffemüller)	CN	L	Yes	No	CASI (1994); Hua (2005); Robinson <i>et al.</i> (2001); Scoble (1999b)
<i>Biston betularia</i> (L.)	CN, US	L	No	No	Carter (1984); Hua (2005); Savelle (2009); Zhang (1994)
<i>Biston marginata</i> Shiraki	CN	L	Yes	No	Hua (2005); Sonan (1931)
<i>Biston robustum</i> Butler <sup>206</sup>	CN	L	Yes	No	Hua (2005); Scoble (1999b); Shiraki (1952b); Yamamoto <i>et al.</i> (2000)
<i>Biston</i> (= <i>Buzura</i> ) <i>thibetaria</i> (Oberthür)	CN	L <sup>207</sup>	Yes	No	Hua (2005); Scoble (1999b)
<i>Boarmia consonaria</i> (Hübner)	CN	L <sup>208</sup>	Yes	No	Hua (2005)
<i>Chihuo sinzao</i> Yang	CN	L <sup>209</sup>	Yes	No	Hua (2005)
<i>Chihuo zao</i> Yang	CN	L	Yes	No	Baidu (2009a); Hua (2005)
<i>Chloroclystis rectangulata</i> (L.)	CN, US	I	No	No	Carter (1984); Ferguson & Mello (1996); Hua (2005)
<i>Colotois pennaria</i> (L.)	CN	L	Yes	No	CASI (1994); Glavendekić & Mihajlović (2006)
<i>Culpinia diffusa</i> (Walker)	CN	L <sup>210</sup>	Yes	No	Hua (2005); Shiraki (1952b)
<i>Cystidia couaggaria</i> (Guenée)	CN	L	Yes	No	CASI (1994); Tsukiji (2008i)
<i>Cystidia stratonice</i> (Stoll)	CN	L	Yes	No	Hua (2005); Piao <i>et al.</i> (2003)

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<i>Ectopis crepuscularia</i> (Denis & Schiffermüller) (= <i>Boarmia crepuscularia</i> Hübner)	CN, US	L	No	No	CABI (2007); CASI (1994); Furniss & Carolin (1977); Shepherd (1994)
<i>Ectopis excellens</i> (Butler)	CN	L	Yes	No	AQIS (1998); Hua (2005); Tsukiji (2008g)
<i>Ectopis obliqua</i> (Prout)	CN	L	Yes	No	AQIS (1998); Hua (2005); Liu <i>et al.</i> (1982)
<i>Ennomos autumnaria</i> (Werneburg)	CN	L	Yes	No	Gantner (2003); Hua (2005); Zhang (1994)
<i>Epirrita autumnata</i> (Borkhausen)	CN	L	Yes	No	Hua (2005); Jepsen <i>et al.</i> (2008); Savela (2009)
<i>Erannis defoliaria</i> (Clerck)	CN	L	Yes	No	Hill (1983); Hua (2005); Savela (2009)
<i>Erannis dira</i> Butler	CN	L <sup>211</sup>	Yes	No	CASI (1994)
<i>Erannis golda</i> Djakonov	CN	L	Yes	No	AQIS (1998); Hua (2005); NIFTS (2009k)
<i>Eupithecia insigniata</i> (Hübner)	CN	L	Yes	No	Fitter & Peat (1994); Hua (2005)
<i>Hemithea aestivaria</i> (Hübner)	CN, US	L	No	No	Hua (2005); LaGasa <i>et al.</i> (2000); Opler <i>et al.</i> (2009); Zhang (1994)
<i>Hypomecis</i> (= <i>Serraca</i> ) <i>punctinalis</i> (Scopoli) (= <i>Boarmia consortaria</i> F.)	CN	L	Yes	No	Hua (2005); Kulfan <i>et al.</i> (2006); Zhang (1994)
<i>Hypomecis</i> (= <i>Boarmia</i> ) <i>roboraria</i> (Denis & Schiffermüller)	CN	L	Yes	No	Hua (2005); Kulfan <i>et al.</i> (2006); Savela (2009); Zhang (1994)
<i>Inurois fletcheri</i> Inoue	CN	L	Yes	No	Hua (2005); NIFTS (2009c)
<i>Inurois pyrina</i> Inoue <sup>212</sup>	CN	L	Yes	No	High (2008)
<i>Inurois tenuis</i> Butler (= <i>Ahisopteryx membranaria</i> Christoph)	CN	L	Yes	No	CASI (1994); Scoble (1999a); Tsukiji (2008c)
<i>Jodis lactearia</i> (L.)	CN	L	Yes	No	Fitter & Peat (1994); Hua (2005); Savela (2009)
<i>Larerrannis filipjevi</i> Weherli	CN	L <sup>213</sup>	Yes	No	CASI (1994)
<i>Lobophora halterata</i> (Hufnagel)	CN	L	Yes	No	Fitter & Peat (1994); Hua (2005)
<i>Lycia hirtaria</i> (Clerck)	CN	L	Yes	No	Fedoryak (1983); Hua (2005); Savela (2009)

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<i>Maxates illitirata</i> (Walker) (= <i>Hemithea sasakii</i> Matsumura, <i>Thalassodes coelataria</i> Walker)	CN	L <sup>214</sup>	Yes	No	Hua (2005); Scoble (1999a); Shiraki (1952b)
<i>Meichihuo cihuai</i> Yang	CN	L	Yes	No	Ding <i>et al.</i> (2006); PRC (1998)
<i>Napocheima robiniae</i> Chu	CN	L	Yes	No	CASI (1994); Zhu (2007)
<i>Nychiodes obscuraria</i> (Villers)	CN	L, S	Yes	No	Avidov & Harpaz (1969); Hua (2005)
<i>Odezia atrata</i> (L.)	CN	I	Yes	No	Fitter & Peat (1994); Hua (2005)
<i>Operophtera brumata</i> (L.)	CN, US	F, I, L	No	No <sup>215</sup>	CABI (2007); Carter (1984); Hua (2005)
<i>Operophtera fagata</i> (Scharfenberg)	CN	I, L	Yes	No	Carter (1984); Hua (2005); Zhang (1994)
<i>Operophtera relegata</i> Prout	CN	L	Yes	No	AQIS (1998); Hua (2005); NIFTS (2009e)
<i>Ophthalmitis</i> (= <i>Ophthalmodes</i> ) <i>irrorataria</i> (Bremer & Grey) (= <i>Boarmia irrorataria</i> Bremer & Grey)	CN	L	Yes	No	CASI (1994); Hua (2005); NIFTS (2009g); Scoble (1999a)
<i>Paraperania</i> (= <i>Percnia</i> ) <i>giraffata</i> (Guenée)	CN	L	Yes	No	CASI (1994); Hill (1987); Scoble (1999a)
<i>Phthonandria atrilineata</i> (Butler) (= <i>Menophra atrilineata</i> [Butler], <i>Hemerophila atrilineata</i> Butler)	CN	L	Yes	No	Chu (1933); Hua (2005); Scoble (1999a)
<i>Phthonosema</i> (= <i>Biston</i> ) <i>tendinosaria</i> (Bremer) (= <i>Amphidasys tendinosaria</i> Bremer)	CN	L	Yes	No	Baidu (2009a); CASI (1994); Hua (2005); Scoble (1999a)
<i>Pylargosceles steganioides</i> (Butler) <sup>216</sup>	CN	L	Yes	No	Hua (2005); Scoble (1999a); Shiraki (1952b); Tsukiji (2008a)
<i>Sarcinodes carnearia</i> Guenée	CN	L <sup>210</sup>	Yes	No	Hua (2005)
<i>Scardamia aurantiacaria</i> Bremer	CN	L <sup>210</sup>	Yes	No	AQIS (1998); Hua (2005)
<i>Scopula nigropunctata</i> (Hufnagel)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009)



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<i>Scopula subpunctaria</i> (Herrich-Schäffer)	CN	L	Yes	No	CASI (1994); Hausmann (2004)
<i>Selenia tetralunaria</i> (Hufnagel)	CN	L	Yes	No	Hua (2005); Savela (2009)
<i>Sucra jujuba</i> Chu	CN	L, L	Yes	No	CASI (1994); Lu (1988)
<i>Triphosa dubitata</i> (L.)	CN	L	Yes	No	Gassmann <i>et al.</i> (2008); Hua (2005); Zhang (1994)
<i>Wilemania nitobei</i> (Nitobe)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Shiraki (1952b)
<i>Yala pyricola</i> Chu	CN	L <sup>210</sup>	Yes	No	Hua (2005)
<i>Zethenia albonotaria</i> Bremer	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<b>Gracillariidae</b>					
<i>Caloptilia theivora</i> (Walsingham) (= <i>Gracillaria theivora</i> Walsingham)	CN	L	Yes	No	CASI (1994); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Caloptilia zachrysa</i> Meyrick	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Phyllonorycter crataegella</i> (Clemens)	CN, US	L	No	No <sup>217</sup>	CABI (2007); DAFF (2009)
<i>Phyllonorycter malivorella</i> Matsumura (= <i>Lithocolletis malivorella</i> Matsumura)	CN	L	Yes	No	Anonymous (1919); Hua (2005); Zhang (1994)
<i>Phyllonorycter ringoniella</i> (Matsumura) (= <i>Lithocolletis ringoniella</i> Matsumura)	CN	L	Yes	No	Sun <i>et al.</i> (2000); Zhang (1994)
<i>Spulerina astaurota</i> (Meyrick) (= <i>Acrocercops astaurota</i> Meyrick)	CN	S	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001); Zhang (1994)
<b>Hepialidae</b>					
<i>Endocrita excrescens</i> (Butler) (= <i>Phassus excrescens</i> Butler)	CN	S	Yes	No	CASI (1994); Hua (2005); Utsumi & Ohgushi (2008)
<i>Phassus xizangensis</i> Chu & Wang	CN	S <sup>218</sup>	Yes	No	Hua (2005)
<b>Lasiocampidae</b>					
<i>Bhima idiota</i> Graeser	CN	L	Yes	No	EPPO (2005); Hua (2005)

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<i>Cosmotriche albomaculata</i> Bremer	CN	L	Yes	No	Hua (2005); Matsumura (1932)
<i>Cyclophragma</i> (= <i>Dendrolimus</i> , <i>Kunugia</i> ) <i>undans</i> (Walker)	CN	L	Yes	No	CASI (1994); Hua (2005); Seliškar (2002); Shibata <i>et al.</i> (2001)
<i>Epicnaptera ilicifolia</i> L.	CN	L	Yes	No	CASI (1994); Nishiguchi (1958)
<i>Gastropacha populifolia</i> (Esper)	CN	L	Yes	No	Baidu (2009a); Hua (2005)
<i>Gastropacha quercifolia</i> (L.)	CN	L	Yes	No	Carter (1984); Hua (2005)
<i>Gastropacha tremulifolia</i> Hübner	CN	L <sup>219</sup>	Yes	No	CASI (1994)
<i>Malacosoma</i> sp.	CN	L <sup>220</sup>	Yes	No	CASI (1994)
<i>Malacosoma dentata</i> Mell	CN	L <sup>220</sup>	Yes	No	Hua (2005)
<i>Malacosoma neustria</i> (L.)	CN	L	Yes	No	CABI (2007)
<i>Odonestis laeta</i> Walker	CN	L <sup>221</sup>	Yes	No	Hua (2005)
<i>Odonestis pruni</i> (L.)	CN	L	Yes	No	DMNC (2009); Hua (2005)
<i>Paralebeda plagifera</i> (Walker)	CN	L	Yes	No	Anonymous (1935); CASI (1994)
<i>Philudoria albomaculata</i> Bremer	CN	L	Yes	No	CASI (1994); Isagi <i>et al.</i> (1997)
<i>Phyllodesma tremulifolium</i> (Hübner)	CN	L <sup>221</sup>	Yes	No	CASI (1994); Hua (2005)
<i>Poecilocampa populi</i> (L.)	CN	L	Yes	No	Carter (1984); Hua (2005); Savela (2009)
<i>Suana divisa</i> (Moore)	CN	L	Yes	No	CAF (2006); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Trabala vishnou</i> Lefebvre	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001, 2009)
<b>Limacodidae</b>					
<i>Belippa horrida</i> Walker	CN	L <sup>222</sup>	Yes	No	Hua (2005)
<i>Cheromettia apicata</i> (Moore)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Cnidocampa flavescens</i> (Walker) (= <i>Monema flavescens</i> Walker)	CN, US	L	No	No	AQIS (1998); Collins (1933); Hua (2005); Schmutzenhofer <i>et al.</i> (1996)
<i>Iragoides fasciata</i> (Moore)	CN	L <sup>223</sup>	Yes	No	Hua (2005)
<i>Iragoides thaumasta</i> Hering	CN	L	Yes	No	High (2008); Hua (2005)

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<i>Microleon longipalpis</i> Butler	CN	L	Yes	No	Hua (2005); NIFTS (2009a); Shiraki (1952d)
<i>Miresa flavidorsalis</i> Staudinger	CN	L <sup>224</sup>	Yes	No	Hua (2005); Zhang (1994)
<i>Miresa inornata</i> Walker	CN	L <sup>224</sup>	Yes	No	Hua (2005)
<i>Narosa corusca</i> Wileman	CN	L	Yes	No	High (2008); Hua (2005)
<i>Narosa edoensis</i> Kawada	CN	L	Yes	No	CASI (1994); Kawada & Shibamichi (1930)
<i>Narosa nigrisigna</i> (Wileman)	CN	L	Yes	No	DAFF (2009)
<i>Narosoides flavidorsalis</i> (Staudinger)	CN	L	Yes	No	CASI (1994); NIFTS (2009b)
<i>Narosoides fuscicostalis</i> (Friksen)	CN	L	Yes	No	Baidu (2009a); Hua (2005)
<i>Narosoides vulpinus</i> (Wileman)	CN	L <sup>225</sup>	Yes	No	CASI (1994)
<i>Parasa consocia</i> (Walker) (= <i>Latoia consocia</i> Walker)	CN	L	Yes	No	CASI (1994); Hua (2005); Wang <i>et al.</i> (2008)
<i>Parasa hilarata</i> (Staudinger) (= <i>Latoia hilarata</i> Staudinger)	CN	L	Yes	No	Baidu (2009a); CASI (1994); Hua (2005)
<i>Parasa lepida</i> (Cramer)	CN	L	Yes	No	CASI (1994); Hill (1983)
<i>Parasa ostia</i> (Swinhoe) (= <i>Latoia ostia</i> Swinhoe)	CN	L	Yes	No	Hua (2005); Liu (1984)
<i>Parasa pastoralis</i> (Butler) (= <i>Latoia pastoralis</i> Butler)	CN	L	Yes	No	Ahmed & Badrul Alam (2006); CASI (1994); Hua (2005)
<i>Parasa pseudorepanda</i> (Hering)	CN	L <sup>226</sup>	Yes	No	Hua (2005)
<i>Parasa sinica</i> (Moore) (= <i>Latoia sinica</i> Moore)	CN	L	Yes	No	Anonymous (1919); CASI (1994); Hua (2005)
<i>Phlossa</i> (= <i>Iragoides</i> ) <i>conjuncta</i> (Walker)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Phrixolepia sericea</i> Butler	CN	L	Yes	No	Hua (2005); Shiraki (1952d); Yukawa (1983)
<i>Setora postornata</i> (Hampson)	CN	L	Yes	No	Baidu (2009a); CASI (1994)
<i>Thossea baibarana</i> Matsumura	CN	L <sup>227</sup>	Yes	No	CASI (1994)

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<i>Thoesia sinensis</i> (Walker)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<b>Lycaenidae</b>					
<i>Acyrtolopis puspa</i> (Horsfield)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Celastrina</i> (= <i>Cyaniris</i> ) <i>argiolus</i> (L.) <sup>228</sup>	CN	F, I	Yes	No <sup>229</sup>	Hua (2005); Hukkinen (1926); Volkov (1989); Zhang (1994)
<i>Favonius yuasai</i> Shirozu	CN	L	Yes	No	Anonymous (2004); Hua (2005)
<i>Fixsenia herzi</i> (Fixsen) (= <i>Thecla herzi</i> Fixsen)	CN	L	Yes	No	EPPO (2005); Hua (2005)
<i>Neozephyrus taxila</i> (Bremer) (= <i>Thecla taxila</i> Bremer)	CN	L	Yes	No	CASI (1994); Doosan Corporation (2009d); Howarth (1957); Hua (2005)
<i>Rapala arata</i> (Bremer)	CN	F, L	Yes	No <sup>230</sup>	AQIS (1998); Hua (2005); NIFTS (2009d)
<i>Rapala</i> (= <i>Bidaspa</i> ) <i>nissa</i> (Kollar)	CN	F	Yes	No <sup>231</sup>	Hua (2005); Singh & Bhardwaj (1983); Zhang (1994)
<i>Satyrrium grandis</i> (Felder & Felder) <sup>232</sup>	CN	I, L <sup>233</sup>	Yes	No	Hua (2005); Savela (2009)
<i>Satyrrium</i> (= <i>Strymonidia</i> ) <i>percomis</i> (Leech)	CN	I, L <sup>233</sup>	Yes	No	Hua (2005); Savela (2009)
<i>Satyrrium v-album</i> (Oberthür) ( <i>Thecla v-album</i> Oberthür)	CN	I, L <sup>233</sup>	Yes	No	CASI (1994); Savela (2009)
<i>Satyrrium</i> (= <i>Strymonidia</i> ) <i>w-album</i> (Knoch) (= <i>Thecla w-album</i> Knoch)	CN	I, L	Yes	No	CASI (1994); Ellis & Wainwright [s.d.]; Hua (2005); UNEP-WCMC (2005)
<b>Lymantriidae</b>					
<i>Arctornis alba</i> (Bremer)	CN	L <sup>234</sup>	Yes	No	Hua (2005)
<i>Arctornis l-nigrum</i> (Müller)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Arctornis xanthocampa</i> Dyar	CN	L <sup>234</sup>	Yes	No	Hua (2005)
<i>Arna</i> (= <i>Euproctis</i> ) <i>bipunctapex</i> (Hampson)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001); Savela (2009)
<i>Calliteara grotei</i> (Moore) (= <i>Dasychira grotei</i> Moore)	CN	L	Yes	No	Robinson <i>et al.</i> (2001); Wu & Huang (1986)

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<i>Calliteara horsfieldii</i> (Saunders) (= <i>Dasychira horsfieldii</i> Saunders)	CN	L	Yes	No	CABI (2007); Gupta <i>et al.</i> (1989)
<i>Calliteara pseudabietis</i> Butler (= <i>Dasychira pseudabietis</i> [Butler])	CN	L	Yes	No	AQIS (1998); Hua (2005); Tsukiji (2008b)
<i>Calliteara</i> (= <i>Dasychira</i> , <i>Orgyia</i> ) <i>pudibunda</i> (L.)	CN	L	Yes	No	CASI (1994); Hua (2005); Vappula (1959); Zhang (1994)
<i>Cifuna eurydice</i> (Butler)	CN	L	Yes	No	Doosan Corporation (2009c); Hua (2005)
<i>Cifuna jankowskii</i> (Oberthür)	CN	L <sup>235</sup>	Yes	No	Hua (2005)
<i>Cifuna locuples</i> Walker	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Dasychira complicata</i> Walker	CN	L <sup>236</sup>	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Dasychira fascellina</i> (L.)	CN	L <sup>236</sup>	Yes	No	Hua (2005)
<i>Dasychira mendosa</i> (Hübner)	CN	L	Yes	No	Hua (2005); Nair (1975); Sasidharan <i>et al.</i> (1995)
<i>Euproctis atereta</i> Collenette (= <i>Porthesia atereta</i> [Collenette])	CN	I, L, S <sup>237</sup>	Yes	No	CASI (1994); Collenette (1932); Heppner & Inoue (1992)
<i>Euproctis bimaculata</i> Walker	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Euproctis</i> (= <i>Arctornis</i> ) <i>chrysorrhoea</i> (L.)	CN, US	L	No	No	CABI (2007); Hua (2005)
<i>Euproctis flava</i> (Bremer)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Euproctis flavinata</i> (Walker)	CN	I, L, S <sup>237</sup>	Yes	No	Hua (2005)
<i>Euproctis flavotriangulata</i> Gaede	CN	I, L, S <sup>237</sup>	Yes	No	CASI (1994)
<i>Euproctis fraterna</i> (Moore)	CN	F, L	Yes	No <sup>238</sup>	Hua (2005); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Euproctis karghalica</i> Moore	CN	L	Yes	No	EPPO (2002); Hua (2005)
<i>Euproctis kurosawai</i> (Inoue) (= <i>Porthesia kurosawai</i> Inoue)	CN	L	Yes	No	Baidu (2009a); CASI (1994); Heppner & Inoue (1992)
<i>Euproctis piperita</i> Oberthür	CN	L	Yes	No	AQIS (1998); EPPO (2005); Hua (2005)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Euproctis</i> (= <i>Porthesia</i> ) <i>scintillans</i> (Walker) (= <i>Somena scintillans</i> Walker)	CN	L	Yes	No	Hua (2005); Nair (1975); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Euproctis</i> (= <i>Porthesia</i> ) <i>similis</i> (Fuessly)	CN	L	Yes	No	CAB (1978); Hua (2005); Savelle (2009)
<i>Euproctis subflava</i> Bremer	CN	L	Yes	No	Ahn <i>et al.</i> (1989); Hua (2005); Shiraki (1952b)
<i>Euproctis xanthocampa</i> (Dyar) (= <i>Porthesia xanthocampa</i> Dyar)	CN	L	Yes	No	CASI (1994); Heppner & Inoue (1992); Hua (2005); Lim <i>et al.</i> (1990)
<i>Leucoma</i> (= <i>Stilpnotia</i> ) <i>candida</i> (Staudinger)	CN	L	Yes	No	AQIS (1998); Hua (2005); Sirota <i>et al.</i> (1976)
<i>Leucoma</i> (= <i>Stilpnotia</i> ) <i>salicis</i> (L.)	CN, US	L	No	No	CASI (1994); Jakubowska <i>et al.</i> (2005); Zhang (1994)
<i>Lymantria bantaizana</i> Matsumura	CN	L	Yes	No	Gotoh <i>et al.</i> (2004); Hua (2005)
<i>Lymantria concolor</i> Walker	CN	F, L	Yes	No <sup>239</sup>	Hua (2005); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Lymantria dispar</i> L.	CN, US	F, I, L	Yes <sup>240</sup>	No <sup>241</sup>	CABI (2007); High (2008)
<i>Lymantria marginata</i> Walker	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Lymantria mathura</i> Moore	CN	I, L	Yes	No	CABI (2007); Hua (2005)
<i>Lymantria monacha</i> (L.)	CN	L	Yes	No	Hua (2005); König (1921)
<i>Orgyia antiqua</i> (L.)	CN, US	L	No	No	CABI (2007)
<i>Orgyia ericae</i> Germar	CN	L	Yes	No	CASI (1994); Pupavkina (1985)
<i>Orgyia gonostigma</i> (L.)	CN	L	Yes	No	Hua (2005); Sevryukova (1979)
<i>Orgyia postica</i> (Walker)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Orgyia recens</i> (Hübner)	CN	L	Yes	No	CABI (2007); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Orgyia thyellina</i> Butler	CN	L	Yes	No	Hua (2005); Sato (1977)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<b>Lyonetiidae</b>					
<i>Leucoptera malifoliella</i> (Costa) (= <i>L. scitella</i> Zeller)	CN	F, L	Yes	Yes	CABI (2007); Fraval (1998); Hua (2005); PPQ interception <sup>96</sup>
<i>Lyonetia clerkella</i> (L.)	CN	L	Yes	No	CABI (2007); Carter (1984)
<i>Lyonetia prunifoliella</i> (Hübner) (= <i>L. ringoniella</i> Matsumura)	CN, US	L	No	No	CABI (2007); CASI (1994); Hua (2005); Kuroko (1964)
<b>Noctuidae</b>					
<i>Acronicta</i> (= <i>Hyboma</i> ) <i>adaucta</i> (Warren)	CN	L <sup>242</sup>	Yes	No	Hua (2005); KNA (2009); Poole (1989a)
<i>Acronicta alni</i> (L.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Savela (2009)
<i>Acronicta hercules</i> (Felder & Rogenhofer)	CN	L	Yes	No	Baidu (2009a); CASI (1994)
<i>Acronicta intermedia</i> Warren (= <i>A. incretata</i> Hampson, <i>Triaena intermedia</i> [Warren])	CN	L	Yes	No	Ahn <i>et al.</i> (1989); CASI (1994); Hua (2005)
<i>Acronicta leucocuspis</i> (Butler)	CN	L <sup>242</sup>	Yes	No	Hua (2005)
<i>Acronicta major</i> (Bremer)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2001)
<i>Acronicta psi</i> (L.)	CN	L	Yes	No	Carter (1984); Hua (2005)
<i>Acronicta</i> (= <i>Viminia</i> ) <i>rumicis</i> (L.)	CN	L	Yes	No	AQIS (1998); CABI (2007); Koçak & Kemal (2007)
<i>Acronicta strigosa</i> (Denis & Schiffermüller)	CN	L	Yes	No	Cao & Wang (1986); Hua (2005)
<i>Acronicta tridens</i> (Denis & Schiffermüller)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Savela (2009)
<i>Actinotia intermediata</i> (Bremer) (= <i>Delta intermediata</i> Hampson)	CN	I, L <sup>243</sup>	Yes	No	CASI (1994); Hua (2005)
<i>Agrotis ipsilon</i> (Hufnagel)	CN, US	F, L, S	No	No <sup>244</sup>	CABI (2007); Lee <i>et al.</i> (1970)
<i>Agrotis segetum</i> (Denis & Schiffermüller)	CN	L	Yes	No	Avidov & Harpaz (1969); CABI (2007); Hua (2005)
<i>Agrotis tokionis</i> Butler	CN	F, R	Yes	No <sup>245</sup>	Baidu (2009a); CASI (1994); Choi <i>et al.</i> (2000)

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<i>Amphipyra erebina</i> Butler	CN	L	Yes	No	Doosan Corporation (2009b); Hua (2005); Shiraki (1952b)
<i>Amphipyra monolitha</i> Guenée	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009)
<i>Amphipyra pyramidea</i> (L.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009)
<i>Amyna octo</i> (Guenée) (= <i>Ilattia octo</i> Warren)	CN, US	L	No	No	CASI (1994); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Anaplectoides prasina</i> (Denis & Schiffmüller)	CN, US	L	No	No	Hua (2005); Lafontaine (1998); Robinson <i>et al.</i> (2009); Savela (2009)
<i>Anomis commoda</i> (Butler)	CN, US	L	No	No	Aoki (2009); AQIS (1998); Hua (2005); Opler <i>et al.</i> (2009)
<i>Anomis flava</i> (F.)	CN, US	L	No	No	CASI (1994); Opler <i>et al.</i> (2009); Robinson <i>et al.</i> (2001)
<i>Anomis fulvida</i> (Guenée)	CN	F, L, S	Yes	No <sup>246</sup>	CASI (1994); Robinson <i>et al.</i> (2001)
<i>Anomis mesogona</i> (Walker)	CN	F, L	Yes	No <sup>246</sup>	CASI (1994); Robinson <i>et al.</i> (2001)
<i>Artena</i> (= <i>Lagoptera</i> , <i>Thyas</i> ) <i>dotata</i> (F.)	CN	L	Yes	No	CASI (1994); Poole (1989b); Robinson <i>et al.</i> (2009); Zhang (1994)
<i>Autographa gamma</i> (L.)	CN	L	Yes	No	Hill (1987); Hua (2005); Savela (2009)
<i>Autographa nigrisigna</i> (Walker)	CN	L	Yes	No	AQIS (1998); Hirata (1967); Hua (2005)
<i>Balsa malana</i> (Fitch)	CN, US	L	No	No	Comstock & Comstock (1897); Hua (2005); Zhang (1994)
<i>Brevipecten consanguis</i> Leech	CN	L <sup>247</sup>	Yes	No	CASI (1994)
<i>Calyptra gruesa</i> (Draudt)	CN	F	Yes	No <sup>248</sup>	AQIS (1998); Hua (2005); Zhang (1994)
<i>Calyptra</i> (= <i>Oraesia</i> ) <i>lata</i> (Butler)	CN	F	Yes	No <sup>248</sup>	AQIS (1998); CASI (1994); Hua (2005); Zhang (1994)
<i>Calyptra minuticornis</i> (Guenée) (= <i>Calpe minuticornis</i> Guenée)	CN	L	Yes	No	CASI (1994); Hua (2005); Robinson <i>et al.</i> (2001)



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<i>Calyptra thalictri</i> (Borkhausen) (= <i>Calpe capucina</i> Esper, <i>Calyptra capucina</i> Esper)	CN	L	Yes	No <sup>244</sup>	CASI (1994); Hua (2005); Lee <i>et al.</i> (1970); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Catocala abamita</i> Bremer & Grey (= <i>Mormonia abamita</i> [Bremer & Grey])	CN	L <sup>249</sup>	Yes	No	CASI (1994); Poole (1989b)
<i>Catocala agitatatrix</i> Graeser	CN	L <sup>249</sup>	Yes	No	Hua (2005); Shiraki (1952b)
<i>Catocala columbina</i> Leech (= <i>Ephesia columbina</i> [Leech])	CN	L <sup>249</sup>	Yes	No	CASI (1994); Poole (1989b)
<i>Catocala dissimilis</i> Bremer (= <i>Ephesia dissimilis</i> [Bremer])	CN	L	Yes	No	CASI, 1994; Poole (1989b); Robinson <i>et al.</i> (2009)
<i>Catocala dula</i> Bremer (= <i>Mormonia dula</i> [Bremer])	CN	L	Yes	No	CASI (1994); Poole (1989b); Robinson <i>et al.</i> (2009)
<i>Catocala electa</i> (Vieweg)	CN	L <sup>249</sup>	Yes	No	Hua (2005)
<i>Catocala</i> (= <i>Ephesia</i> ) <i>fulminea</i> (Scopoli)	CN	L	Yes	No	AQIS (1998); CASI, 1994; Hua (2005); Poole (1989b); Robinson <i>et al.</i> (2009)
<i>Catocala nivea</i> Butler (= <i>Ephesia nivea</i> [Butler])	CN	L <sup>249</sup>	Yes	No	Hua, 2005; Poole (1989b)
<i>Catocala patala</i> Feldrer & Rogenhofer	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009)
<i>Catocala remissa</i> Staudinger	CN	L <sup>249</sup>	Yes	No	CASI (1994)
<i>Chrysorhynchum amata</i> (Bremer & Grey)	CN	F	Yes	No <sup>248</sup>	CASI (1994); Zhang (1994)
<i>Clavipalpula aurariae</i> (Oberthür)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Colocasia coryli</i> (L.)	CN	L	Yes	No	Hua (2005); Savela (2009); Robinson <i>et al.</i> (2009)
<i>Conistra grisescens</i> Draudt	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Conistra vaccinii</i> (L.)	CN	L	Yes	No	FES (2009c); Hua (2005); Savela (2009)

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<i>Cosmia exigua</i> (Butler)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Cosmia</i> (= <i>Calymnia</i> ) <i>pyralina</i> (Denis & Schiffermüller)	CN	L	Yes	No	CASI (1994); Hua (2005); Robinson <i>et al.</i> (2009); Zhang (1994)
<i>Cosmia trapezina</i> (L.)	CN	L	Yes	No	CABI (2007); Hua (2005); Langenscheidt (1967)
<i>Cucullia asteris</i> (Denis & Schiffermüller)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Dysgonia arctotaenia</i> (Guenée) (= <i>Parallelia arctotaenia</i> Hampson)	CN	L	Yes	No	CASI (1994); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Dysgonia arcuata</i> (Moore) (= <i>D. curvata</i> [Leech], <i>Parallelia curvata</i> [Leech])	CN	L	Yes	No	CASI (1994); Holloway & Miller (2003); Poole (1989b); Robinson <i>et al.</i> (2009)
<i>Dysgonia maturata</i> (Walker) (= <i>Parallelia maturata</i> Hampson)	CN	F	Yes	No <sup>250</sup>	CASI (1994); Hua (2005); Yoon & Lee (1974)
<i>Dysgonia stuposa</i> (F.) (= <i>Parallelia stuposa</i> Hampson)	CN	L <sup>251</sup>	Yes	No	CASI (1994); Hua (2005)
<i>Earias</i> sp.	CN	L <sup>252</sup>	Yes	No	CASI (1994)
<i>Ercheia umbrosa</i> Butler	CN	F	Yes	No <sup>253</sup>	AQIS (1998); Hua (2005); Tsukiji (2009c)
<i>Eudocima fullonia</i> (Clerck) (= <i>Ophideres fullonica</i> [L.])	CN, US (HI)	F	Yes	No <sup>248</sup>	CABI (2007); CASI (1994); Hua (2005)
<i>Eudocima salamina</i> (Cramer)	CN	F	Yes	No <sup>248</sup>	Hua (2005); Zhang (1994)
<i>Eudocima</i> (= <i>Adris</i> ) <i>tyrannus</i> (Guenée)	CN	F, L	Yes	No <sup>248</sup>	High (2008); Hua (2005); Zhang (1994)
<i>Eupsilia transversa</i> (Hufnagel)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Savelle (2009)
<i>Eutelia geyeri</i> (Felder & Rogenhofer)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Euxoa clerica</i> Butler	CN	L	Yes	No	High (2008); Hua (2005)
<i>Feltia subgothica</i> Haworth	CN, US	L	No	No	Britton (1927); Hua (2005); Zhang (1994)
<i>Gabala argentata</i> Butler	CN	L	Yes	No	CASI (1994); Kawabe (2009b)

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<i>Graphiphora</i> (= <i>Rhyacia</i> ) <i>augur</i> (F.)	CN, US	F, L	No	No <sup>254</sup>	Hua (2005); Lafontaine (1998); Lucke <i>et al.</i> (1981); Napiórkowska (1991); Zhang (1994)
<i>Helicoverpa</i> (= <i>Heliothis</i> ) <i>armigera</i> (Hübner)	CN	F, I, L	Yes	No <sup>255</sup>	Barnes (1978); CASI (1994); Hua (2005); Li <i>et al.</i> (1998)
<i>Helicoverpa zea</i> (Boddie)	CN, US	F, I, L	No	Yes	CABI (2007); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Heliothis virescens</i> (Hufnagel) (= <i>H. dipsacea</i> [L.])	CN	I	Yes	No	CASI (1994); FES (2009d); Hua (2005)
<i>Hypena similis</i> Leech (= <i>Rhynchina similis</i> [Leech])	CN	L <sup>256</sup>	Yes	No	CASI (1994); Leech (1900); Poole (1989b)
<i>Hypocala subsatura</i> Guenée	CN	F, L	Yes	Yes	High (2008); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Hypopyra</i> (= <i>Enmonodia</i> ) <i>vespertilio</i> (F.)	CN	L <sup>257</sup>	Yes	No	CASI (1994); Poole (1989b)
<i>Ischyra manlia</i> (Cramer)	CN	L, S	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Lacanobia</i> (= <i>Diataraxia</i> ) <i>oleracea</i> (L.)	CN	F, L	Yes	No <sup>258</sup>	Carter (1984); Hua (2005); Zhang (1994)
<i>Lacanobia</i> (= <i>Ceramica</i> ) <i>pisi</i> (L.)	CN	L	Yes	No	Carter (1984); Hua (2005); Robinson <i>et al.</i> (2009); Zhang (1994)
<i>Lacanobia suasa</i> (Denis & Schiffermüller)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Savelle (2009)
<i>Lacanobia thalassina</i> (Hufnagel) (= <i>Polia thalassina</i> Hampson)	CN	L	Yes	No	CASI (1994); Hua (2005); Sipura (2000); Zhang (1994)
<i>Lamprothrips junio</i> Dalman <sup>259</sup>	CN				CASI (1994)
<i>Lithophane socia</i> (Hufnagel)	CN	L	Yes	No	Hua (2005); Pigott (1991); Savelle (2009)
<i>Mamestra brassicae</i> (L.)	CN	F, I, L	Yes	No <sup>258</sup>	CABI (2007)
<i>Melanchra persicariae</i> (L.)	CN	L	Yes	No	Carter (1984); Hua (2005)
<i>Mimerastris mandschuriana</i> (Oberthür)	CN	L	Yes	No	Baidu (2009a); Hua (2005)
<i>Mocis ancilla</i> (Warren)	CN	L <sup>260</sup>	Yes	No	CASI (1994)

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<i>Mocis annetta</i> (Butler)	CN	L	Yes	No	CASI (1994); Tsukiji (2008j)
<i>Mocis undata</i> (F.)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2001)
<i>Mythimna unipuncta</i> (Haworth)	CN, US	F	No	No <sup>258</sup>	CABI (2007); Tremblay (1969)
<i>Naenia contaminata</i> (Walker)	CN	L <sup>261</sup>	Yes	No	AQIS (1998); Hua (2005)
<i>Nolathripa</i> (= <i>Lamprothripa</i> ) <i>lactaria</i> (Graeser) (= <i>Nola lactaria</i> Graeser)	CN	L <sup>262</sup>	Yes	No	CASI (1994); Hampson (1912); Poole (1989b)
<i>Ochropleura</i> (= <i>Actebia</i> ) <i>fennica</i> (Tauscher)	CN, US	L	No	No	Hua (2005); Shepherd (1994); Zhang (1994)
<i>Ophiusa</i> (= <i>Anua</i> ) <i>coronata</i> (F.)	CN	F, L	Yes	No <sup>248</sup>	CASI (1994); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Ophiusa</i> (= <i>Anua</i> ) <i>tirhaca</i> (Cramer)	CN	F, L	Yes	No <sup>248</sup>	CASI (1994); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Oraesia emarginata</i> (F.)	CN	F	Yes	No <sup>248</sup>	Hua (2005); Zhang (1994)
<i>Oraesia excavata</i> (Butler)	CN	F	Yes	No <sup>248</sup>	Hua (2005); Zhang (1994)
<i>Orthosia</i> (= <i>Monima</i> ) <i>carnipennis</i> (Butler)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Shiraki (1952b)
<i>Orthosia cruda</i> (Denis & Schiffermüller)	CN	L	Yes	No	CABI (2007); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Orthosia ella</i> (Butler)	CN	L	Yes	No	AQIS (1998); Hanski (2002); NIFTS (2009j)
<i>Orthosia gothica</i> (L.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Zhang (1994)
<i>Orthosia gracilis</i> (Denis & Schiffermüller)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Zhang (1994)
<i>Orthosia</i> (= <i>Monima</i> ) <i>incerta</i> (Hufnagel)	CN	F, L	Yes	No <sup>263</sup>	Carter (1984); CASI (1994); Hua (2005); Zhang (1994)
<i>Orthosia limbata</i> (Butler)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Orthosia munda</i> (Denis & Schiffermüller)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)

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<i>Orthosia odiosa</i> (Butler)	CN	L	Yes	No	AQIS (1998); BIK (2003); Robinson <i>et al.</i> (2009)
<i>Pangrapta obscurata</i> (Butler)	CN	L	Yes	No	Doosan Corporation (2009h); Hua (2005)
<i>Peridroma saucia</i> (Hübner)	CN, US	F, I, S	No	No <sup>258</sup>	CABI (2007)
<i>Plusiodonta</i> sp.	CN	L <sup>264</sup>	Yes	No	CASI (1994)
<i>Sarcopolia illoba</i> (Butler)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Scoliopteryx libatrix</i> (L.)	CN, US	L	No	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Serodes campana</i> Guenée	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2001)
<i>Simplicia niphona</i> (Butler) (= <i>Nodaria niphona</i> Warren)	CN	L	Yes	No	CASI (1994); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Sinna extrema</i> (Walker)	CN	L	Yes	No	CASI (1994); Jiang <i>et al.</i> (2000)
<i>Spirama helicina</i> (Hübner) (= <i>Speiredonia japonica</i> Hampson)	CN	L <sup>265</sup>	Yes	No	CASI (1994); Hua (2005)
<i>Spirama retorta</i> (Clerck) (= <i>Speiredonia retorta</i> Hampson)	CN	F	Yes	No <sup>250</sup>	CASI (1994); Hua (2005); Kim & Lee (1986)
<i>Spodoptera exigua</i> (Hübner)	CN, US	L	No	No	Avidov & Harpaz (1969); CABI (2007); Hua (2005)
<i>Spodoptera</i> (= <i>Prodenia</i> ) <i>litura</i> (F.)	CN	L	Yes	No	CABI (2007); CASI (1994)
<i>Synpoides picta</i> (Butler)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Synpoides simplex</i> (Leech) (= <i>Sypna simplex</i> Leech)	CN	L <sup>266</sup>	Yes	No	CASI (1994); Hua (2005)
<i>Telorta divergens</i> (Butler) (= <i>Mesogona divergens</i> Butler)	CN	I	Yes	No	CASI (1994); Hua (2005); Umeya & Okada (2003)
<i>Telorta edentata</i> (Leech)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Thyas junio</i> (Dalman) (= <i>Dermaleipa junio</i> Hampson, <i>Lagoptera junio</i> Chen)	CN	F	Yes	No <sup>248</sup>	AQIS (1998); CASI (1994); Hua (2005); Zhang (1994)
<i>Tiracola plagiata</i> (Walker)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Trachea atriplicis</i> (L.)	CN	F, L	Yes	No <sup>244</sup>	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Trachea auriplena</i> (Walker)	CN	L <sup>267</sup>	Yes	No <sup>268</sup>	CASI (1994)
<i>Xestia c-nigrum</i> (L.)	CN, US	I, L	No	No	CABI (2007)
<i>Xylena exsoleta</i> (L.)	CN	L	Yes	No	Carter (1984); Hua (2005); Zhang (1994)
<i>Xylena formosa</i> (Butler)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Xylena fumosa</i> (Butler)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Xylena vetusta</i> (Hübner)	CN	L	Yes	No	Hua (2005); Kansanen & Venetvaara (1991); Zhang (1994)
<b>Notodontidae</b>					
<i>Cerura menciana</i> Moore	CN	L	Yes	No	CASI (1994); Chen <i>et al.</i> (1990)
<i>Cerura vinula</i> (L.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Zhang (1994)
<i>Clostera anastomosis</i> (L.)	CN	L	Yes	No	AQIS (1998); Hua (2005); Kang (1970)
<i>Neopheosia fasciata</i> (Moore)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Zhang (1994)
<i>Paranerice hoenei</i> Kiriakoff	CN	L	Yes	No	Baidu (2009a); Hua (2005)
<i>Phalera bucephala</i> (L.)	CN	F, L	Yes	No <sup>269</sup>	Hill (1987); Hua (2005)
<i>Phalera flavescens</i> (Bremer & Grey)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009)
<i>Ptilodon capucina</i> (L.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Savela (2009)
<i>Stauropus fagi</i> (L.) (= <i>S. persimilis</i> Butler)	CN	L	Yes	No	CASI (1994); Hua (2005); Savela (2009)
<i>Wilemanus bidentatus</i> (Wileman)	CN	L	Yes	No	Baidu (2009a); Hua (2005)
<b>Oecophoridae</b>					
<i>Depressaria isshikii</i> Matsumura	CN	L <sup>270</sup>	Yes	No	CASI (1994)

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<i>Stathmopoda auriferella</i> (Walker) (= <i>S. theoris</i> Meyrick)	CN	F, I	Yes	No <sup>271</sup>	Hua (2005); Park <i>et al.</i> (1994); Shiraki (1952d); Taher Sayed (1946)
<b>Papilionidae</b>					
<i>Iphiclydes podalirius</i> (L.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Zhang (1994)
<b>Pieridae</b>					
<i>Aporia crataegi</i> (L.)	CN	F, I, L	Yes	No <sup>272</sup>	Jiang (2001); Savkovskii (1975)
<b>Psychidae</b>					
<i>Acanthoecia</i> (= <i>Kotochalia</i> ) <i>larminati</i> (Heylaerts) (= <i>Chalia larminati</i> Heylaerts)	CN	L, S	Yes	No	CASI (1994); Chien (1959); Pitkin & Jenkins (2007a); Zhang (1994)
<i>Acanthopsyche bipars</i> Walker	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Acanthopsyche</i> (= <i>Eurukuttarus</i> ) <i>nigriplaga</i> (Wileman)	CN	L	Yes	No	Hori (1927); Hua (2005)
<i>Acanthopsyche subteralbata</i> Hampson	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Amatissa snelleni</i> Heylaerts	CN	L <sup>273</sup>	Yes	No	Hua (2005)
<i>Canephora asiatica</i> (Staudinger)	CN	L	Yes	No	Hua (2005); Yang <i>et al.</i> (2008)
<i>Canephora unicolor</i> Hübner	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Chalioides kondonis</i> Matsumura	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2009)
<i>Dappula tertia</i> (Templeton)	CN	L	Yes	No	CASI (1994); Robinson <i>et al.</i> (2001)
<i>Eumeta minuscula</i> (Butler) (= <i>Clania minuscula</i> Butler)	CN	L	Yes	No	CABI (2007); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Eumeta</i> (= <i>Clania</i> , <i>Cryptothelea</i> ) <i>variegata</i> (Snellen)	CN	L	Yes	No	CABI (2007); CASI (1994); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Mahasena hakingi</i> Moore <sup>274</sup>	CN	L <sup>275</sup>	Yes	No	Hua (2005)
<i>Mahasena nitobei</i> Matsumura	CN	L <sup>275</sup>	Yes	No	CASI (1994)
<i>Mahasena yuna</i> Chao	CN	L <sup>275</sup>	Yes	No	Hua (2005)
<i>Plateumeta aurea</i> Butler	CN	F, L, S <sup>276</sup>	Yes	No <sup>277</sup>	CASI (1994)

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<b>Pyralidae</b>					
<i>Acrobasis</i> (= <i>Eurhodope</i> , <i>Nephopteryx</i> ) <i>pirivorella</i> (Matsumura)	CN	F, I	Yes	Yes	CABI (2007); CASI (1994); Hua (2005)
<i>Acrobasis tokiella</i> (Ragonot)	CN	L	Yes	No	Hua (2005); Wang (1980; cited in Anonymous, 2008a)
<i>Cadra cautella</i> (Walker)	CN, US	F	No	No <sup>278</sup>	CABI (2007); Hua (2005); Zhang (1994)
<i>Calguia defiguralis</i> Walker	CN	I, L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Conogethes</i> (= <i>Dichocrocis</i> ) <i>punctiferalis</i> (Guenée)	CN	F	Yes	Yes	CABI (2007); CASI (1994)
<i>Cryptoblabes gnidiella</i> (Millière)	CN, US (HI)	F	Yes	Yes	Carter (1984); Hua (2005)
<i>Dioryctria rubrizonella</i> Ragonot	CN			No <sup>279</sup>	CASI (1994)
<i>Eurhodope hollandella</i> (Ragonot) (= <i>Etiella hollandella</i> Ragonot)	CN	F, I, L <sup>280</sup>	Yes	Yes	CASI (1994); Hua (2005)
<i>Euzophera batangensis</i> Caradja	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Euzophera bigella</i> (Zeller)	CN	F	Yes	Yes	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Euzophera pinguis</i> (Haworth)	CN	S	Yes	No	Hua (2005); Zhang (1994)
<i>Euzophera pyriella</i> Yang	CN	F, S	Yes	Yes	Song <i>et al.</i> (1994)
<i>Haritalodes</i> (= <i>Sylepta</i> ) <i>derogata</i> (F.)	CN	L	Yes	No	CABI (2007); CASI (1994)
<i>Heterocrasa expansalis</i> Warren	CN	L <sup>281</sup>	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Hypsopygia regina</i> (Butler)	CN	L <sup>282</sup>	Yes	No	Hua (2005)
<i>Loxostege sticticalis</i> L. (= <i>Margaritia sticticalis</i> [L.])	CN	L	Yes	No	CABI (2007); Hua (2005)
<i>Maruca vitrata</i> (F.) (= <i>M. testulalis</i> [Geyer])	CN, US (HI)	I, L	Yes	No	CABI (2007); CASI (1994); Robinson <i>et al.</i> (2001)
<i>Ostrinia furnacalis</i> (Guenée)	CN	F, I, L	Yes	Yes	CASI (1994); He <i>et al.</i> (2004)
<i>Ostrinia nubilalis</i> (Hübner)	CN, US	L	No	No	CABI (2007); Hua (2005)



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<i>Pempelia heringii</i> (Ragonot) (= <i>Nephopteryx rubrizonella</i> Ragonot)	CN	F, L	Yes	Yes	Arakawa (1927); Hua (2005); Robinson <i>et al.</i> (2001); Zhang (1994)
<b>Saturniidae</b>					
<i>Actias artemis</i> (Bremer & Gory)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009)
<i>Actias dubernardi</i> (Oberthür)	CN	L <sup>283</sup>	Yes	No	Hua (2005)
<i>Actias selene</i> (Hübner)	CN	L	Yes	No	Hill (1983); Hua (2005)
<i>Antheraea pernyi</i> Guérin-Méneville	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001, 2009)
<i>Antheraea yamamai</i> Guérin-Méneville	CN	L	Yes	No	CABI (2007); Sahara <i>et al.</i> (2001)
<i>Attacus atlas</i> (L.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009)
<i>Caligula boisduvali</i> Erscherich (= <i>C. jonassii</i> Staudinger)	CN	L	Yes	No	AQIS (1998); Hua (2005); Robinson <i>et al.</i> (2009)
<i>Caligula japonica</i> (Moore) (= <i>Dictyoploca japonica</i> Moore)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2009); Shiraki (1952b); Zhang (1994)
<i>Caligula</i> (= <i>Dictyoploca</i> ) <i>simla</i> Westwood	CN	L	Yes	No	Hua (2005); Pitkin & Jenkins (2007b); Robinson <i>et al.</i> (2009)
<i>Cricula trifenestrata</i> Helfer (= <i>C. andrei</i> Jordan)	CN	L	Yes	No	Holloway (1998); Hua (2005); Robinson <i>et al.</i> (2001, 2009)
<i>Eriogyna pyretorum</i> (Westwood)	CN	L	Yes	No	CASI (1994); Zhang <i>et al.</i> (2008a)
<i>Neoris haraldi</i> Schawerda	CN	L	Yes	No	Anonymous (2006); Hua (2005)
<i>Solus drepanoides</i> (Moore) (= <i>Cricula drepanoides</i> Moore)	CN	L <sup>284</sup>	Yes	No	Hua (2005); Pitkin & Jenkins (2007c)
<b>Sesiidae</b>					
<i>Paranthrene regalis</i> (Butler)	CN	S	Yes	No	Hua (2005); Zhou <i>et al.</i> (1999)
<i>Synanthedon</i> (= <i>Conopia</i> ) <i>hector</i> (Butler)	CN	S	Yes	No	CASI (1994); Jin <i>et al.</i> (2008); Matsumoto <i>et al.</i> (2007)
<i>Synanthedon unocingulata</i> Bartel (= <i>S. haitangwora</i> Yang)	CN	S	Yes	No	Hua (2005); Jin <i>et al.</i> (2008); Robinson <i>et al.</i> (2001); Zhu (1980)

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<b>Sphingidae</b>					
<i>Ampelophaga rubiginosa</i> Bremer & Grey	CN	L	Yes	No	Hua (2005); Pittaway & Kitching (2009a); Shiraki (1952d)
<i>Langia zenzeroides</i> Moore	CN	L	Yes	No	Hua (2005); Nair (1975)
<i>Marumba gaschkewitschii</i> (Bremer & Grey)	CN	L	Yes	No	Hua (2005); KFS (2004)
<i>Marumba jankowskii</i> (Oberthür)	CN	L	Yes	No	Genka (2009b); Hua (2005)
<i>Rhyncholaba</i> (= <i>Pergesa</i> ) <i>acteus</i> (Cramer)	CN	L	Yes	No	CASI (1994); Leong & D'Rozario (2009)
<i>Smerinthus planus</i> Walker	CN	L <sup>285</sup>	Yes	No	Hua (2005)
<i>Sphinx ligustri</i> L.	CN	L	Yes	No	Hua (2005); Pittaway & Kitching (2009b); Savela (2009)
<i>Theretra latreillii</i> (Macleay)	CN	L	Yes	No	CASI (1994); Hawkeswood (1993)
<b>Thyatiridae</b>					
<i>Habrosyne pyritoides</i> (Hufnagel)	CN	L <sup>286</sup>	Yes	No	CASI (1994)
<i>Thyatira batis</i> (L.)	CN	L	Yes	No	CASI (1994); Fitter & Peat (1994)
<b>Tortricidae</b>					
<i>Acleris comariana</i> (Lienig & Zeller)	CN	I, L	Yes	No	Anonymous (1973); Hua (2005); Savela (2009)
<i>Acleris cristana</i> (Denis & Schiffermüller)	CN	F, I, L	Yes	No <sup>287</sup>	Hua (2005); Meijerman & Ulenberg (2004); Savela (2009)
<i>Acleris extensana</i> (Walker) (= <i>Peronea agrioma</i> Meyrick)	CN	L <sup>288</sup>	Yes	No	Brown (2005); Hua (2005); Nair (1975)
<i>Acleris fimbriana</i> (Thunberg & Becklin) (= <i>A. crocopepla</i> [Meyrick])	CN	L	Yes	No	Brown (2005); Hua (2005); Hwang (1974); Meijerman & Ulenberg (2004)
<i>Acleris variegana</i> (Denis & Schiffermüller)	CN, US	L	No	No	Carter (1984); Hua (2005); Mattson <i>et al.</i> (1994)
<i>Adoxophyes cyrtosema</i> Meyrick	CN	F, I, L	Yes	No <sup>289</sup>	CASI (1994); Liu (1958)

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<i>Adoxophyes orana</i> (Fischer von Röslerstamm)	CN	F, I, L	Yes	No <sup>290</sup>	Whittle (1985)
<i>Adoxophyes privatana</i> (Walker)	CN	F, I, L	Yes	No <sup>291</sup>	Hua (2005); Meijerman & Ulenberg (2004); Shiraki (1952d)
<i>Ancylis selenana</i> (Guenée)	CN	L	Yes	No	Hua (2005); Meijerman & Ulenberg (2004)
<i>Archips asiaticus</i> Walsingham (= <i>Cacoecia asiatica</i> [Walsingham], <i>Tortrix asiatica</i> Walsingham)	CN	F, L	Yes	Yes	Anonymous (2009g); Byun <i>et al.</i> (2003); Hua (2005); Kennel (1908); Luh (1936); Meijerman & Ulenberg (2004)
<i>Archips betulana</i> (Hübner) (= <i>A. decretana</i> [Treitschke])	CN	L	Yes	No	Brown (2005); Georgiev & Velcheva (1999); Hua (2005); Zhang (1994)
<i>Archips breviplicanus</i> (Walsingham)	CN	F, I, L	Yes	No <sup>287</sup>	Brown (2005); Meijerman & Ulenberg (2004)
<i>Archips crataegana</i> (Hübner)	CN	L	Yes	No	Hua (2005); Meijerman & Ulenberg (2004)
<i>Archips fuscocupreana</i> (Walsingham)	CN, US	F, I, L	No	No <sup>292</sup>	Brown (2005); Hua (2005); Maier (2003)
<i>Archips ingentana</i> (Christoph)	CN	L	Yes	No	Brown (2005); Hua (2005); Syachina & Dubatolov (2009)
<i>Archips micaceana</i> (Walker)	CN	L	Yes	No	Hill (1983); Hua (2005); Robinson <i>et al.</i> (2001)
<i>Archips nigricaudana</i> (Walsingham)	CN	L	Yes	No	Brown (2005); Hua (2005); NIFTS (2008); Robinson <i>et al.</i> (2009)
<i>Archips oporana</i> (L.) (= <i>Archippus oporanus</i> [L.], <i>Cacoecia oporana</i> [L.])	CN	F, I, L	Yes	No <sup>293</sup>	Anonymous (2009e); Brown (2005); Byun <i>et al.</i> (2003); CABI (2007); Hill (1983); Hua (2005); Sylvén (1958)
<i>Archips philippa</i> (Meyrick) (= <i>A. subsidiaria</i> [Meyrick])	CN	F, L	Yes	No <sup>294</sup>	Brown (2005); Hua (2005); Parry & Pawar (1988); Robinson <i>et al.</i> (2001)
<i>Archips rosana</i> (L.)	CN, US	F, I, L	No	No <sup>295</sup>	Brown (2005); Byun <i>et al.</i> (2003); CABI (2007); Hodges <i>et al.</i> (1983)

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<i>Archips subrufana</i> (Snellen)	CN	L	Yes	No	Brown (2005); Choi <i>et al.</i> (2004); Hua (2005)
<i>Archips termias</i> (Meyrick) (= <i>A. pomivora</i> [Meyrick], <i>Cacoecia sarcostega</i> Meyrick)	CN	F, I, L	Yes	No <sup>296</sup>	Brown (2005); Hua (2005); Nair (1975)
<i>Archips xylosteana</i> (L.) (= <i>Cacoecia xylosteana</i> [L.])	CN	F, I, L	Yes	No <sup>297</sup>	Brown (2005); Byun <i>et al.</i> (2003); Hua (2005); Meijerman & Ulenberg (2004)
<i>Argyrotaenia ljunghiana</i> (Thunberg) (= <i>A. pulchellana</i> [Haworth])	CN	F, L	Yes	Yes	Carter (1984); Hua (2005); Ivancich Gambaro (1962); Meijerman & Ulenberg (2004); Zhang (1994)
<i>Choristoneura adumbratana</i> (Walsingham) (= <i>Hoshinoa adumbratana</i> [Walsingham])	CN	L	Yes	No	Brown (2005); Byun <i>et al.</i> (2003); Hua (2005); Meijerman & Ulenberg (2004)
<i>Choristoneura diversana</i> (Hübner)	CN	L	Yes	No	Carter (1984); Hua (2005)
<i>Choristoneura lafauryana</i> (Ragonot)	CN	F, L	Yes	No <sup>298</sup>	Hua (2005); Meijerman & Ulenberg (2004)
<i>Choristoneura longicellanus</i> (Walsingham) (= <i>Hoshinoa longicellanus</i> [Walsingham])	CN	F, L	Yes	No <sup>241</sup>	Brown (2005); High (2008); Hua (2005); Meijerman & Ulenberg (2004); Zhang (1994)
<i>Choristoneura luticostana</i> (Christoph)	CN	L	Yes	No	Hua (2005); Kuznetsov (1989)
<i>Clepsis imitator</i> (Walsingham)	CN	L <sup>299</sup>	Yes	No	Hua (2005)
<i>Clepsis mellissa</i> (Meyrick)	CN	L <sup>299</sup>	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001); Wang <i>et al.</i> (2003)
<i>Clepsis pallidana</i> (F.) (= <i>C. strigana</i> [Hübner])	CN	L	Yes	No	Brown (2005); Hua (2005); Meijerman & Ulenberg (2004); Yasuda (1972)
<i>Clepsis spectrana</i> (Treitschke)	CN, US	I, L, S	No	No	Alford (1975); CABI (2007); de Vrie (1978); LaGasa (1999); Saltarin (1991); Shi & Zhao (1986)

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<i>Cnephasia stephensiana</i> (Doubleday) (= <i>C. cinereipalpata</i> Razowski)	CN	L	Yes	No	Brown (2005); Hua (2005); Meijerman & Ulenberg (2004)
<i>Cydia</i> (= <i>Laspeyresia</i> ) <i>pomonella</i> (L.)	CN, US	F	No	Yes	CABI (2007); CASI (1994)
<i>Eudemis porphyra</i> (Hübner)	CN	F, I, L	Yes	No <sup>300</sup>	FES (2009e); Hua (2005)
<i>Grapholita funebrana</i> (Treitschke)	CN	F	Yes	Yes	CABI (2007)
<i>Grapholita inopinata</i> Heinrich	CN	F	Yes	Yes	CABI (2007)
<i>Grapholita</i> (= <i>Cydia</i> ) <i>molesta</i> (Busck)	CN, US	F, S	No	Yes	CABI (2007); Hua (2005)
<i>Grapholita</i> (= <i>Enarmonia</i> ) <i>prunivora</i> (Walsh)	CN, US	F	No	Yes	CABI (2007); CASI (1994); Hua (2005)
<i>Gypsonoma minutana</i> (Hübner)	CN	L	Yes	No	CABI (2007); Hua (2005); Meijerman & Ulenberg (2004)
<i>Hedya auricristana</i> (Walsingham)	CN	L	Yes	No	Hua (2005); Shiraki (1952d); Tsukiji (2009b)
<i>Hedya ignara</i> Falkovitsh	CN	L	Yes	No	AQIS (1998); Hua (2005); Kuznetsov (1989)
<i>Hedya ochroleucana</i> (Frölich) (= <i>H. consanguinana</i> [Walsingham])	CN, US	L	No	No	Brown (2005); Hua (2005); Meijerman & Ulenberg (2004); Zhang (1994)
<i>Homona</i> sp.	CN	L <sup>301</sup>	Yes	No	CASI (1994)
<i>Homona coffearia</i> (Nietner)	CN	L	Yes	No	CABI (2007)
<i>Homona magnanima</i> (Diakonoff)	CN	L	Yes	No	CABI (2007); Meijerman & Ulenberg (2004)
<i>Homonopsis foederatana</i> (Kennel)	CN	L	Yes	No	AQIS (1998); Hua (2005); Murakami & Nakano (2002)
<i>Homonopsis illotana</i> (Kennel)	CN	L	Yes	No	Hua (2005); Kuznetsov (1989)
<i>Isotenes miserana</i> (Walker) <sup>302</sup>	CN	F	Yes	Yes	Common (1990); Hua (2005)
<i>Leguminivora glycinivorella</i> (Matsumura)	CN	F	Yes	No <sup>303</sup>	AQIS (1998); Hua (2005)

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<i>Notocelia rosaeocolana</i> (Doubleday)	CN, US	I, L	No	No	AQIS (1998); Hua (2005); Meijerman & Ulenberg (2004)
<i>Pandemis cerasana</i> (Hübner) (= <i>P. ribeana</i> [Hübner])	CN	F, I, L	Yes	No <sup>304</sup>	Brown (2005); Hua (2005); Meijerman & Ulenberg (2004)
<i>Pandemis chlorograptia</i> Meyrick	CN	L <sup>305</sup>	Yes	No	Hua (2005)
<i>Pandemis chondrillana</i> (Herrich-Schäffer)	CN	F, I, L	Yes	No <sup>291</sup>	Hua (2005); Meijerman & Ulenberg (2004)
<i>Pandemis cinnamomeana</i> (Treitschke)	CN	L	Yes	No	Hua (2005); Meijerman & Ulenberg (2004)
<i>Pandemis corylana</i> (F.)	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001); Zhang (1994)
<i>Pandemis dumetana</i> (Treitschke)	CN	I, L	Yes	No	Hua (2005); Meijerman & Ulenberg (2004)
<i>Pandemis heparana</i> (Denis & Schiffmüller)	CN	F, L	Yes	No <sup>298</sup>	Meijerman & Ulenberg (2004)
<i>Pseudosciaphila branderiana</i> (L.)	CN	L	Yes	No	Fitter & Peat (1994); Hua (2005); Zhang (1994)
<i>Ptycholoma</i> (= <i>Archips</i> ) <i>imitator</i> (Walsingham) (= <i>Cacoecia imitator</i> Walsingham)	CN	L	Yes	No	CASI (1994); Doosan Corporation (2009f); Hua (2005); Meijerman & Ulenberg (2004)
<i>Ptycholoma lecheana</i> (L.)	CN	L	Yes	No	CABI (2007); Hua (2005); Meijerman & Ulenberg (2004)
<i>Rhopobota naevana</i> (Hübner) (= <i>R. unipunctana</i> [Haworth])	CN, US	F, I, L	No	No <sup>306</sup>	Brown (2005); Hua (2005); McDonough <i>et al.</i> (1987); Meijerman & Ulenberg (2004)
<i>Rhopobota ustomaculana</i> (Curtis)	CN	L	Yes	No	Hua (2005); Sugiura <i>et al.</i> (2006); Zhang (1994)
<i>Sparganothis pilleriana</i> (Denis & Schiffmüller)	CN	I, L, S	Yes	No	Hua (2005); Meijerman & Ulenberg (2004)
<i>Spatalistis christophana</i> (Walsingham)	CN	L	Yes	No	Genka (2009a); Hua (2005)
<i>Spilonota albicana</i> (Motschulsky)	CN	F, L	Yes	Yes	Anonymous (2008c); Hua (2005)
<i>Spilonota lechriaspis</i> Meyrick	CN	L	Yes	No	Hua (2005); Meijerman & Ulenberg (2004)
<i>Spilonota ocellana</i> (Denis & Schiffmüller)	CN, US	F, I, L	No	No <sup>298</sup>	CABI (2007); Hua (2005)

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<i>Spilonota prognathana</i> Snellen	CN	F	Yes	Yes	Hua (2005); Kondo & Miyahara (1930)
<i>Statherotis threnodes</i> (Meyrick) <sup>307</sup>	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Syndemis musculana</i> (Hübner)	CN	F, L	Yes	No <sup>308</sup>	Hua (2005); Meijerman & Ulenberg (2004)
<i>Tortrix sinapina</i> (Butler)	CN	L	Yes	No	Hua (2005); Meijerman & Ulenberg (2004)
<i>Ulodemis trigrapha</i> Meyrick	CN	F	Yes	Yes	Fletcher (1920); Hua (2005); Robinson <i>et al.</i> (2001)
<b>Xyloryctidae</b>					
<i>Acria ceramitis</i> Meyrick	CN	L	Yes	No	Hua (2005); Robinson <i>et al.</i> (2001)
<i>Athrypsia salva</i> Meyrick	CN	L, S	Yes	No	Anonymous (2008b); Hua (2005)
<i>Linoclostis gonatias</i> Meyrick	CN	S	Yes	No	Hua (2005); Sonan (1939)
<b>Yponomeutidae</b>					
<i>Swammerdamia pyrella</i> (de Villers)	CN	L	Yes	No	Carter (1984); Hua (2005)
<i>Yponomeuta evonymellus</i> (L.)	CN	L	Yes	No	Hill (1987); Hua (2005)
<i>Yponomeuta malinellus</i> Zeller	CN, US	I, L, S	No	No	CABI (2007); Fadamiro (2003); Hua (2005)
<i>Yponomeuta</i> (= <i>Hyponomeuta</i> ) <i>padellus</i> (L.) (= <i>Y. padella</i> [L.])	CN, US	L	No	No	CABI (2007); High (2008); Hua (2005); Munster-Swendsen (1982); Parrott & Schoene (1912); PRC (1998); Unruh <i>et al.</i> (2003)
<i>Yponomeuta polystictus</i> (Butler)	CN	L	Yes	No	Anonymous (2009b); CASI (1994)
<b>Zygaenidae</b>					
<i>Agalope hyalina</i> Kollar	CN	F, I, L	Yes	No <sup>309</sup>	Bhardwaj & Bhardwaj (1983); Hua (2005); Nair (1975)
<i>Elcysma westwoodii</i> (Vollenhoven)	CN	I, L	Yes	No	CASI (1994); Nakai & Takeda (1995)
<i>Illiberis nigra</i> (Leech)	CN	L	Yes	No	CASI (1994); Kim <i>et al.</i> (2004)
<i>Illiberis pruni</i> Dyar	CN	F, L	Yes	No <sup>341</sup>	Hanson (1963); High (2008); Hua (2005)
<i>Illiberis sinensis</i> Walker	CN	L	Yes	No	EPPO (2005); Hua (2005); Zhang (1994)

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<i>Procris pruni</i> (Denis & Schiffermüller)	CN	L	Yes	No	Apostolov (1961); Hua (2005); Shiraki (1952d)
<i>Soritia pulchella</i> (Kollar) (= <i>S. leptalina</i> Kollar)	CN	L	Yes	No	Hua (2005); Nair (1975); Zhang (1994)
<b>ORTHOPTERA</b>					
<b>Acrididae</b>					
<i>Anagracris barabensis</i> (Pallas)	CN	L	Yes	No	Chen & Kang (2000); Hua (2000)
<i>Atractomorpha lata</i> (Motschulsky) (= <i>Acrida lata</i> Wu)	CN	L	Yes	No	CASI (1994); Hua (2000); Yanagida <i>et al.</i> (1996)
<i>Atractomorpha sinensis</i> (Bolivar) (= <i>A. ambigua</i> Bolivar)	CN, US (HI)	L, S	Yes	No	CASI (1994); Hua (2000); Martin Kessing & Mau (1992); Nishida (2002)
<i>Chorthippus brunneus</i> (Thunberg)	CN	L <sup>310</sup>	Yes	No	Hua (2000)
<i>Locusta migratoria</i> (L.) (= <i>L. danica</i> L.)	CN	L	Yes	No	CABI (2007); CASI (1994)
<i>Oxya japonica</i> (Thunberg) (= <i>O. velox</i> [F.])	CN, US (HI)	L	Yes	No	Aziz & Aziz (1985); Hua (2000); Nishida (2002)
<i>Oxya shanghaiensis</i> Willemse	CN	L <sup>311</sup>	Yes	No	Hua (2000)
<i>Parapleurus alliaceus</i> (Germar)	CN	L	Yes	No	Hua (2000); Pfisterer <i>et al.</i> (2003); Shiraki (1952a)
<i>Patanga japonica</i> (Bolivar)	CN	F, L	Yes	No <sup>312</sup>	DAFF (2009); Hua (2000); Zhai (1985)
<b>Gryllidae</b>					
<i>Acheta domesticus</i> (L.) (= <i>Gryllus domesticus</i> L.)	CN, US	L, S	No	No	Bolduiev (1946); CASI (1994); Hua (2000); Triplehorn & Johnson (2005)
<i>Calopteryx hibernica</i> (Matsumura)	CN	F, I, L, S	Yes	No <sup>313</sup>	Hanson (1963); Hua (2000)
<i>Gryllus chinensis</i> (Weber)	CN	L, S	Yes	No	Hua (2000); McPartland (1996)
<i>Loxoblemmus doenitzi</i> Stein	CN	F	Yes	No <sup>312</sup>	DAFF (2009)
<i>Oecanthus longicauda</i> Matsumura	CN	F, L, S <sup>314</sup>	Yes	No <sup>315</sup>	Hua (2000)
<i>Teleogryllus mitratus</i> (Burmeister)	CN	F, L, S	Yes	No <sup>312</sup>	DAFF (2009); Hua (2000); Sachan <i>et al.</i> (1980)



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<i>Teleogryllus testaceus</i> (Walker) (= <i>Gryllus testaceus</i> Walker)	CN	R, S	Yes	No	Calora & Ferino (1964); CASI (1994); Hua (2000)
<b>Gryllotalpidae</b>					
<i>Gryllotalpa africana</i> Palisot de Beauvois	CN, US (HI)	L	Yes	No	CABI (2007); CASI (1994); Chao (1975)
<i>Gryllotalpa unispina</i> Saussure	CN	L	Yes	No	CASI (1994); Chao (1975)
<b>Tettigoniidae</b>					
<i>Conocephalus gladiatus</i> (Redtenbacher)	CN	L, S	Yes	No	Hua (2000); NILGS (2009b)
<i>Deracantha onos</i> (Pallas)	CN	F	Yes	No <sup>312</sup>	DAFF (2009)
<i>Gampsocleis buergeri</i> (De Haan)	CN	L	Yes	No	CASI (1994); Tayutivutikul & Kusigemati (1992)
<i>Gampsocleis ussuriensis</i> Adelung	CN	F	Yes	No <sup>312</sup>	DAFF (2009)
<i>Holochlora japonica</i> Brunner von Wattenwyl	CN, US (HI)	L	Yes	No	Hua (2000); Kim (2000b); Nishida (2002)
<i>Holochlora nawae</i> Matsumura & Shiraki	CN	F, I, L	Yes	No <sup>316</sup>	CAAS (2009); Hua (2000)
<b>PHASMATODEA</b>					
<b>Bacteriidae</b>					
<i>Phraortes illepidus</i> (Brunner von Wattenwyl) (= <i>Staelonchodes illepidus</i> Brunner von Wattenwyl) <sup>317</sup>	CN	L	Yes	No	Hua (2000); Kim (2000a); Shiraki (1952a)
<b>Pachymorphidae</b>					
<i>Macellina</i> (= <i>Macella</i> ) sp.	CN	L <sup>318</sup>	Yes	No	CASI (1994); Moxey (2002)
<b>THYSANOPTERA</b>					
<b>Phlaeothripidae</b>					
<i>Haplothrips chinensis</i> Priesner	CN	I	Yes	No	Hua (2000); Wang (1997)
<b>Thripidae</b>					
<i>Caliothrips</i> (= <i>Hemiothrips</i> ) <i>fasciatus</i> (Pergande)	CN, US	F	No	Yes	CASI (1994); Hoddle <i>et al.</i> (2006); Hua (2000); Nishida (2002)
<i>Frankliniella occidentalis</i> (Pergande)	CN, US	F, I, L	No	Yes	CABI (2007); Liu <i>et al.</i> (2005)
<i>Parabliothrips grandiceps</i> Priesner	CN	L	Yes	No	Gillespie <i>et al.</i> (2002); Hua (2000)

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<i>Taeniothrips inconsequens</i> (Uzel)	CN, US	F, I, L	No	Yes	CABI (2007); Hill (1987); Wang (2000)
<i>Thrips flavidulus</i> (Bagnall)	CN	I	Yes	No	Hua (2000); Zhao <i>et al.</i> (2002)
<i>Thrips flavus</i> Schrank	CN	I	Yes	No	Hill (1983); Hua (2000)
<i>Thrips hawaiiensis</i> (Morgan)	CN, US	I, L	No	No	CABI (2007); Hill (1983); Srivastava & Bhullar (1980)
<i>Thrips palmi</i> Karny	CN, US	F, L	No	Yes	Walker (1992a, b)
<i>Thrips simplex</i> (Morison)	CN, US	I, L	No	No	CABI (2007); Jacobs (1995)
<i>Thrips tabaci</i> Lindeman	CN, US	I, L	No	No	CABI (2007); Cockfield <i>et al.</i> (2007); Gurney (1915); Hua (2000)
<b>Incertae Sedis</b>					
<i>Thrips laevidulus</i> (Bagnall) <sup>319</sup>	CN				Hua (2000)
<b>VIROIDS</b>					
Apple scar skin (Pospiviroidae)	CN, US	F, Sd	No	Yes	Hadidi <i>et al.</i> (1991); Han <i>et al.</i> (2003); Jones (2000)
Peach latent mosaic (Avasuviroidae)	CN, US	F	No	Yes	CABI (2007); El-DougDoug (1998)
<b>VIRUSES</b>					
Apple chlorotic leaf spot	CN, US	Whole plant	No	Yes	Brunt <i>et al.</i> (1996); CABI (2007)
Apple mosaic (Bromoviridae)	CN, US	F, I, R, S	No	Yes	CABI (2007)
Apple russet ring	CN, US	F, L	No	Yes	Jones & Aldwinckle (1990); Wang <i>et al.</i> (1997); Wood (2001)
Apple rust ring <sup>520</sup>	CN				Wang & Hong (1997)
Apple stem grooving	CN, US	I, L, R, S	No	No	CABI (2007)
Apple stem pitting	CN, US	Whole plant	No	Yes	Brunt <i>et al.</i> (1996); CABI (2007)
Apple stem pox	CN	S	Yes	No	Wang <i>et al.</i> (1992)
Chat fruit	CN	F, S	Yes	Yes	CASI (1994); Posnette & Cropley (1965)
Cherry rasp leaf (Comoviridae)	CN, US	F, I, L, R, S, Sd	No	Yes	Brunt <i>et al.</i> (1996); CABI (2007)
Flat limb	CN, US	F, S	No	Yes	CASI (1994); Kristensen (1956)
Green crinkle	CN, US	F	No	Yes	CASI (1994); Jones & Aldwinckle (1990)
Prunus necrotic ringspot (Bromoviridae)	CN, US	I, L, R, S, Sd	No	Yes	CABI (2007)

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Tobacco mosaic	CN, US	Whole plant	No	Yes	Brunt <i>et al.</i> (1996); CABI (2007); Lemoine & Morand (1993)
Tobacco necrosis (Tombusviridae)	CN, US	R	No	No	Brunt <i>et al.</i> (1996); CABI (2007)
Tobacco ringspot (Comoviridae)	CN, US	Whole plant	No	Yes	Brunt <i>et al.</i> (1996); CABI (2007); Lana <i>et al.</i> (1983)
Tomato ringspot (Comoviridae)	CN, US	L, R, S	No	No	Brunt <i>et al.</i> (1996); CABI (2007)
<b>BACTERIA</b>					
<i>Acetobacter pasteurianus</i> (Hansen) Beijerinck (Clostridiales)	CN, US	F	No	Yes	Bradbury (1986); Ma & Gu (2000)
<i>Bacillus cereus</i> Frankland & Frankland (Sphingobacteriales)	CN, US	F	No	Yes	CABI (2007); Davidson (2003); Hou <i>et al.</i> (2004); Rajkowski & Baldwin (2003)
<i>Bacillus subtilis</i> (Ehrenberg) Cohn (Sphingobacteriales)	CN, US	R	No	No	Bradbury (1986); CABI (2007); Peng <i>et al.</i> (2002)
<i>Burkholderia cepacia</i> (ex Burkholder) Yabuuchi <i>et al.</i> (= <i>Pseudomonas cepacia</i> [ex Burkholder] Palleroni & Holmes) (Pseudomonadales)	CN, US	R	No	No	Bradbury (1986); CABI (2007); Zhao & Guo (2004)
<i>Erwinia carotovora</i> subsp. <i>carotovora</i> (Jones) Bergey <i>et al.</i> (Enterobacteriales)	CN, US	L, R, S	No	No	CABI (2007); Hikichi <i>et al.</i> (1989)
<i>Gluconobacter oxydans</i> (Henneberg) De Ley (Rhodospirillales)	CN, US	F	No	Yes	Batley & Schaffner (2001); Bradbury (1986); Xu <i>et al.</i> (2004)
<i>Pantoea agglomerans</i> (Beijerinck) Gavini <i>et al.</i> (= <i>Erwinia herbicola</i> [Löhnis] Dye) (Enterobacteriales)	CN, US	L, R, Sd	No	No	Bradbury (1986); CABI (2007); Xie (2001)
<i>Pseudomonas cichorii</i> (Swingle) Stapp (Pseudomonadales)	CN, US	I, L, R, S	No	No	CABI (2007); Sun <i>et al.</i> (1993)

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<i>Pseudomonas fluorescens</i> (Trevisan) Migula (Pseudomonadales)	CN, US	L	No	No	CABI (2007)
<i>Pseudomonas syringae</i> pv. <i>syringae</i> van Hall (= <i>Pseudomonas syringae</i> van Hall) (Pseudomonadales)	CN, US	I, L, S, Sd	No	No	CABI (2007)
<i>Rhizobium radiobacter</i> (Beijerinck & van Delden) Young <i>et al.</i> (= <i>Bacterium tumefaciens</i> Smith & Townsend, <i>Agrobacterium tumefaciens</i> [Smith & Townsend] Conn) (Rhizobiales)	CN, US	R, S	No	No	Bradbury (1986); CABI (2007); Yu (1940)
<i>Rhizobium rhizogenes</i> (Riker <i>et al.</i> ) Young <i>et al.</i> (= <i>Agrobacterium rhizogenes</i> [Riker <i>et al.</i> ] Conn) (Rhizobiales)	CN, US	R, S	No	No	Bradbury (1986); CABI (2007)
<b>PHYTOPLASMA</b>					
Aster yellows phytoplasma group	CN, US	L, S	No	No	Bertaccini <i>et al.</i> (1998); CABI (2007)
<b>FUNGI AND OOMYCETES</b>					
<i>Abortiporus biennis</i> (Bull.:Fr.) Singer (= <i>Daedalea biennis</i> [Bull.] Fr., <i>Heteroporus biennis</i> [Bull.:Fr.] Lázaro Ibiza, <i>Polyporus biennis</i> [Bull.:Fr.] Fr.) (Basidiomycetes: Polyporales)	CN, US	R, S	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Acremonium strictum</i> Gams (Ascomycetes: Hypocreales) (= <i>Cephalosporium acremonium</i> auct. non Corda)	CN, US	F, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Semenov (1976); Wu <i>et al.</i> (2003)
<i>Alternaria</i> sp. (Ascomycetes: Pleosporales)	CN	F	Yes	Yes	Tang & Chen (1997)

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<i>Alternaria alternata</i> (Fries) Keissler (= <i>A. tenuis</i> Nees) (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	CABI (2007); Duke (1983)
<i>Alternaria mali</i> Roberts (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Alternaria mali</i> Roberts (severe strain) (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	CASI (1994); Jones & Aldwinckle (1990)
<i>Alternaria malorum</i> (Ruehle) Braun <i>et al.</i> (= <i>Cladosporium malorum</i> Ruehle) (Ascomycetes: Pleosporales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Gorini & Mori (1976)
<i>Alternaria nelumbii</i> Enlows & Rand (Ascomycetes: Pleosporales)	CN, US	L	No	No	Farr <i>et al.</i> (2006)
<i>Alternaria pomicola</i> Horne (Ascomycetes: Pleosporales)	CN, US	F, L <sup>321</sup>	No	Yes	Farr <i>et al.</i> (2006)
<i>Alternaria solani</i> Sorauer f.sp. <i>mali</i> (Ascomycetes: Pleosporales)	CN	F, L, S	Yes	No <sup>322</sup>	CABI (2007); Fu <i>et al.</i> (1997)
<i>Alternaria tenuissima</i> (Kunze:Fr.) Wiltshire (Ascomycetes: Pleosporales)	CN, US	F, L, S	No	Yes	Farr <i>et al.</i> (2006); Horst (2001)
<i>Antrodia serialis</i> (Fr.:Fr.) Donk (= <i>Trametes serialis</i> [Fr.:Fr.] Fr.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Aplosporella</i> (= <i>Haplosporella</i> ) <i>ailanthi</i> Ellis & Everh. (Ascomycetes)	CN, US	L	No	No	CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008)

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<i>Aplosporella</i> (= <i>Haplosporella</i> ) <i>mali</i> (Westend.) Petr. & Syd. (= <i>Sphaeropsis mali</i> [Westend.] Sacc.) (Ascomycetes)	CN, US	S	No	No	CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Aplosporella</i> (= <i>Haplosporella</i> ) <i>malorum</i> Sacc. (Ascomycetes)	CN, US	S	No	No	CASI (1994); House (1917); Kirk (2008); Shandilya (1974)
<i>Aposphaeria fuscomaculans</i> Sacc. (= <i>Plenodomus fuscomaculans</i> [Sacc.] Coons) (Ascomycetes: Pleosporales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Armillaria mellea</i> (Vahl:Fr.) Kumm. (= <i>Armillariella mellea</i> [Vahl:Fr.] Karst.) (Basidiomycetes: Agaricales)	CN, US	R, S	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Armillaria ostoyae</i> (Romagn.) Herink (Basidiomycetes: Agaricales)	CN, US	R	No	No	CABI (2007); Proffer <i>et al.</i> (1987)
<i>Armillaria tabescens</i> (Scop.) Emel (= <i>Armillariella tabescens</i> [Scop.] Singer, <i>Clitocybe tabescens</i> [Scop.] Bres.) (Basidiomycetes: Agaricales)	CN, US	R, S	No	No	CABI (2007); Chang <i>et al.</i> (1983); Duke (1983)
<i>Ascochyta mali</i> Ellis & Everh. (Ascomycetes)	CN, US	L, S	No	No	Ellis & Everhart (1900); Farr <i>et al.</i> (2006); Van Hook (1916)
<i>Ascochyta piricola</i> Sacc. (Ascomycetes)	CN	F, L	Yes	Yes	Farr <i>et al.</i> (2006); Watson (1971)
<i>Ascochyta pyrina</i> Peglion (Ascomycetes)	CN, US	F, L	No	Yes	Farr <i>et al.</i> (2006); Watson (1971)
<i>Aspergillus awamori</i> Nakazawa (= <i>A. luchuensis</i> Inui) (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Aspergillus clavatus</i> Desm. (Ascomycetes: Eurotiales)	CN, US	F, L	No	Yes	CABI (2007); Cao <i>et al.</i> (1986); Farr <i>et al.</i> (2006)
<i>Aspergillus flavus</i> Link (Ascomycetes: Eurotiales)	CN, US	Sd	No	Yes	CABI (2007); Jiang <i>et al.</i> (2002)
<i>Aspergillus foetidus</i> (Nakazawa) Thom & Raper	CN, US	F	No	Yes	CASI (1994); Farr <i>et al.</i> (2006)
<i>Aspergillus fumigatus</i> Fresen. (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Aspergillus glaucus</i> Link:Fr. (Ascomycetes: Eurotiales)	CN, US	F, S	No	Yes	AQIS (1998); Dzhafarov (2002); Farr <i>et al.</i> (2006)
<i>Aspergillus niger</i> Tiegh. (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Aspergillus ochraceus</i> G. Wilh. (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	AQIS (1998); Farr <i>et al.</i> (2006)
<i>Aspergillus tamarii</i> Kita (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	AQIS (1998); (Bamba & Sumbali (1999); Farr <i>et al.</i> (2006)
<i>Aspergillus terreus</i> Thom (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Duke (1983); Farr <i>et al.</i> (2006); Onions (1966)
<i>Aspergillus ustus</i> (Bainier) Thom & Church (Ascomycetes: Eurotiales)	CN, US	L, S	No	No	CABI (2007); Farr <i>et al.</i> (2006)
<i>Aspergillus versicolor</i> (Vuill.) Tiraboschi (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Zhao <i>et al.</i> (1995)
<i>Asteromella mali</i> (Briard) Boerema (Ascomycetes: Pleosporales) (= <i>Phyllosticta mali</i> Briard)	CN, US	L	No	No	CABI (2007); Farr <i>et al.</i> (2006)
<i>Athelia rolfsii</i> (Curzi) Tu & Kimbr. (Basidiomycetes: Polyporales) (= <i>Corticium rolfsii</i> Curzi, <i>Sclerotium rolfsii</i> Sacc.)	CN, US	R, S	No	No	CABI (2007); Corazza <i>et al.</i> (1999); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Aureobasidium pullulans</i> (de Bary) Arnaud (Ascomycetes: Dothideales)	CN, US	F, L, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Horst (2001); Song & Huang (2001)
<i>Bionectria ochroleuca</i> (Schwein.) Schroers & Samuels (Ascomycetes: Hypocreales) (= <i>Nectria ochroleuca</i> [Schwein.] Berk.; anamorph: <i>Gliocladium roseum</i> Bainier)	CN, US	F, L, R, S	No	Yes	Farr <i>et al.</i> (2006)
<i>Biscogniauxia marginata</i> (Fr.) Pouzar (= <i>Nummularia discreta</i> [Schwein.] Tul. & Tul.) (Ascomycetes: Xylariales)	CN, US	S	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Bjerkandera adusta</i> (Willd.:Fr.) Karst. (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Botryosphaeria dothidea</i> (Moug.) Ces. & de Not. (= <i>Botryosphaeria berengeriana</i> de Notaris f.sp. <i>pyricola</i> [Nose] Koganezawa & Sakuma, <i>Guignardia pyricola</i> [Nose] Yamam., <i>Physalospora pyricola</i> [Nose] (Ascomycetes: Dothideales))	CN, US	F, L, S	No	Yes	CABI/EPPO (1997c); Farr <i>et al.</i> (2006); Gao <i>et al.</i> (2006); Jones & Aldwinckle (1990); Slippers <i>et al.</i> (2004, 2007); Zhao (1998)
<i>Botryosphaeria obtusa</i> (Schwein.) Shoem. (Ascomycetes: Dothideales) (= <i>Diplodia griffoni</i> Sacc. & Trav., <i>Physalospora obtusa</i> [Schwein.] Cooke, <i>P. malorum</i> Peck, <i>P. cydoniae</i> Arnaud; anamorph: <i>Sphaeropsis malorum</i> Peck.)	CN, US	F, L, S	No	Yes	Duke (1983); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990); Kirk (2008)



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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Botryosphaeria parva</i> Pennycook & Samuels (Ascomycetes: Dothideales) (anamorph: <i>Fusicoccum parvum</i> Pennycook & Samuels)	CN, US (HI)	S	Yes	No	Farr <i>et al.</i> (2006)
<i>Botryosphaeria ribis</i> Grossenb. & Duggar (= <i>B. berengeriana</i> de Notaris, <i>Dothiorella ribis</i> [Fuckel] Sacc.) (Ascomycetes: Dothideales)	CN, US	F, S	No	Yes	CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008); Wellman (1977)
<i>Botryosphaeria rhodina</i> (Berk. & Curtis) Arx (= <i>Diplodia natalensis</i> Pole-Evans, <i>Physalospora rhodina</i> Cooke) (Ascomycetes: Dothideales)	CN, US	F	No	Yes	CASI (1994); Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Botryosphaeria stevensii</i> Shoemaker (Ascomycetes: Dothideales) (= <i>Physalospora mutila</i> Stevens; anamorph: <i>Diplodia mutila</i> [Fr.:Fr.] Mont.)	CN, US	F, S	No	Yes	Duke (1983); Farr <i>et al.</i> (2006)
<i>Botryotinia fuckeliana</i> (de Bary) Whetzel (Ascomycetes: Helotiales) (anamorph: <i>Botrytis cinerea</i> Pers.:Fr.)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Butlerella eustacei</i> Weresub & Illman (= <i>Corticium centrifugum</i> [Lév.] Bres.) (Basidiomycetes: Polyporales)	CN, US	F, R, S	No	Yes	CASI (1994); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Caldariomyces fumago</i> Woron. (Ascomycetes: Capnodiales) (= <i>Fumago vagans</i> Pers.)	CN, US	L	No	No	Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Calonectria kyotensis</i> Terash. (Ascomycetes: Hypocreales) (anamorph: <i>Cylindrocladium scoparium</i> Morg.)	CN, US	F, L, R	No	Yes	Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Candida kefyr</i> (Beij.) Uden & Buckley (Saccharomycetes: Saccharomycetales)	CN, US	F	No	Yes	Hospenthal <i>et al.</i> (2006); Wang <i>et al.</i> (2004)
<i>Candida krusei</i> (Castell.) Berkhout (Saccharomycetes: Saccharomycetales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Wang <i>et al.</i> (2004)
<i>Candida magnoliae</i> (Lodder & Kreger) Mey. & Yarrow (Saccharomycetes: Saccharomycetales)	CN, US	F	No	Yes	Lane <i>et al.</i> (2001); Wang <i>et al.</i> (2004)
<i>Candida tropicalis</i> (Castell.) Berkhout (Saccharomycetes: Saccharomycetales)	CN, US	F	No	Yes	Hospenthal <i>et al.</i> (2006); Wang <i>et al.</i> (2004)
<i>Ceratocystis adiposa</i> (Butler) Moreau (= <i>Endoconidiophora adiposa</i> [Butler] Davidson) (Ascomycetes: Microascales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Ceratocystis paradoxa</i> (Dade) Moreau (Ascomycetes: Microascales)	CN, US	F, I, L, R, S, Sd	No	Yes	CABI (2007); Sumbali & Badyal (1990)
<i>Cerrena unicolor</i> (Bull.:Fr.) Murrill (Basidiomycetes: Polyporales) (= <i>Daedalea unicolor</i> [Bull.:Fr.] Fr.)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Chondrostereum purpureum</i> (Pers.) Pouzar (= <i>Stereum purpureum</i> Pers.:Fr.) (Basidiomycetes: Polyporales)	CN, US	L, R, S	No	No	CABI (2007); Farr <i>et al.</i> (2006); Wellman (1977)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Cladosporium</i> sp. (Ascomycetes: Mycosphaerellales)	CN	F	Yes	Yes	PPQ interception <sup>96</sup>
<i>Cladosporium cladosporioides</i> (Fresen.) De Vries (Ascomycetes: Mycosphaerellales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Cladosporium herbarum</i> (Pers.) Link (Ascomycetes: Mycosphaerellales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Cladosporium sphaerospermum</i> Penz. (Ascomycetes: Mycosphaerellales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006)
<i>Cochliobolus cynodontis</i> Nelson (= <i>Bipolaris cynodontis</i> [Marignoni] Shoemaker) (Ascomycetes: Pleosporales)	CN, US	L	No	No	CABI (2007); Farr <i>et al.</i> (2006); Liu & Pu (2004)
<i>Cochliobolus heterostrophus</i> (Drechsler) Drechsler (anamorph: <i>Helminthosporium maydis</i> Nisik. & Miyake) (Ascomycetes: Pleosporales)	CN, US	F	No	Yes	CABI (2007); Shahi <i>et al.</i> (2003)
<i>Cochliobolus lunatus</i> Nelson & Haasis (anamorph: <i>Curvularia lunata</i> [Wakker] Boedjin) (Ascomycetes: Pleosporales)	CN, US	F	No	Yes	CABI (2007); Shahi <i>et al.</i> (2003)
<i>Cochliobolus miyabeanus</i> (Ito & Kurib.) Drechsler ex Dastur (anamorph: <i>Helminthosporium oryzae</i> Breda de Haan) (Ascomycetes: Pleosporales)	CN, US	F	No	Yes	CABI (2007); Shahi <i>et al.</i> (2003)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Coleophoma empetri</i> (Rostr.) Petr. (Ascomycetes) (= <i>Sporonema oxycocci</i> Shear)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Colletotrichum acutatum</i> Simmonds ex Simmonds (Ascomycetes: Phyllachorales)	CN, US	F, I, L, R, S	No	Yes	CABI (2007)
<i>Colletotrichum capsici</i> (Syd.) Butler & Bisby (Ascomycetes: Phyllachorales)	CN, US	F	No	Yes	CABI (2007); Shahi <i>et al.</i> (2003)
<i>Colletotrichum dematium</i> (Pers.) Grove (Ascomycetes: Phyllachorales)	CN, US	F, L	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Coniophora puteana</i> (Schumacher:Fr.) Karst. (= <i>C. cerebella</i> [Pers.] Pers.) (Basidiomycetes: Boletales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006); Zhou <i>et al.</i> (1991)
<i>Coniothecium chomatosporum</i> Corda (Ascomycetes)	CN	F, L, S	Yes	Yes	Farr <i>et al.</i> (2006)
<i>Coniothyrium olivaceum</i> Bonord. (Ascomycetes: Pleosporales) (= <i>Microsphaeropsis olivacea</i> [Bonord.] Höhn.)	CN, US	L, S	No	No	Farr <i>et al.</i> (2006); Kirk (2008)
<i>Coniothyrium tirolense</i> Bubák (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	Farr <i>et al.</i> (2006)
<i>Cordana musae</i> (Zimm.) Höhnelt (Ascomycetes)	CN, US	L	No	No	CABI (2007); Farr <i>et al.</i> (2006); Miller (1998)
<i>Coriopsis gallica</i> (Bull.:Fr.) Ryvarden (= <i>Trametes gallica</i> Fr., <i>T. hispida</i> Bagl.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Corticium salmonicolor</i> Berk. & Broome (= <i>Erythricium salmonicolor</i> [Berk. & Broome] Burds.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	CABI (2007); Farr <i>et al.</i> (2006); Kirk (2008); Verma (1991)
<i>Cryphonectria parasitica</i> (Murrill) Barr (Ascomycetes: Diaporthales)	CN, US	L, S	No	No	CABI (2007)
<i>Cylindrocarpon didymum</i> (Harting) Wollenw. (Ascomycetes: Hypocreales)	CN, US	R, S	No	No	CABI (2007); Dugan & Grove (1994); Farr <i>et al.</i> (2006)
<i>Cylindrocarpon magnusianum</i> Wollenw. (Ascomycetes: Hypocreales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Cytospora</i> sp. (Ascomycetes: Diaporthales)	CN	L, S <sup>323</sup>	Yes	No	Farr <i>et al.</i> (2006)
<i>Cytospora oxyacanthae</i> Rabenh. (Ascomycetes: Diaporthales)	CN	S	Yes	No	Farr <i>et al.</i> (2006); Liu <i>et al.</i> (1996)
<i>Dacryopinax spathularia</i> (Schwein.:Fr.) Martin (Basidiomycetes: Dacrymycetales) (= <i>Guepinia spathularia</i> [Schwein.:Fr.] Fr.)	CN, US	S	No	No	Farr <i>et al.</i> (2006); Kirk (2008)
<i>Dactylaria higginsii</i> (Luttr.) Ellis (Ascomycetes) (= <i>Daldinia concentrica</i> [Bolton:Fr.] Ces. & De Not.)	CN, US	L, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Daedaleopsis confragosa</i> (Bolton:Fr.) Schröt. (= <i>Daedalea confragosa</i> [Bolton:Fr.] Fr.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Daldinia vernicosa</i> (Schwein.) Ces. & De Not. (Ascomycetes: Xylariales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Dendrophora versiformis</i> (Berk. & Curtis) Chamuris (= <i>Stereum versiforme</i> Berk. & Curtis) (Basidiomycetes: Russulales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Diaporthe perniciosa</i> Marchal & Marchal (= <i>D. eres</i> Nitschke) (Ascomycetes: Diaporthales) (anamorph: <i>Phomopsis mali</i> Roberts)	CN, US	F, L, S	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Diaporthe pomigena</i> (Schw.) Miura (Ascomycetes: Diaporthales)	CN	F, S	Yes	Yes	CASI (1994); Farr <i>et al.</i> (2006)
<i>Diplocarpon mali</i> Harada & Sawamura (Ascomycetes: Helotiales) (anamorphs: <i>Marssonina coronaria</i> [Ell. & Davis] Davis, <i>M. mali</i> [Henn.] Ito)	CN, US	F, L	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990); Kirk (2008); Xie & Leng (1990)
<i>Diplocarpon mespili</i> (Sorauer) Sutton (= <i>Fabraea maculata</i> Atk.; anamorphs: <i>Entomosporium mespili</i> [DC.] Sacc., <i>E. maculatum</i> Lév.) (Ascomycetes: Helotiales)	CN, US	F, L	No	Yes	Duke (1983); Farr <i>et al.</i> (2006); Wellman (1977)
<i>Discohainesia oenotherae</i> (Cooke & Ellis) Nannf. (Ascomycetes: Helotiales) (= <i>Pezizella oenotherae</i> [Cooke & Ellis] Sacc.; synanamorph: <i>Hainesia lythri</i> [Desm.] Höhn.)	CN, US	L, S	No	No	Duke (1983); Farr <i>et al.</i> (2006); Sun <i>et al.</i> (1999)
<i>Discosia artocreas</i> (Tode:Fr.) Fr. (Ascomycetes)	CN, US	L	No	No	CASI (1994); Farr <i>et al.</i> (2006)

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<i>Discosia maculicola</i> Gerard (Ascomycetes)	CN, US	L	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Dissoconium mali</i> Sun <i>et al.</i> (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	Zhang <i>et al.</i> (2007)
<i>Dissoconium multiseptatae</i> Sun & Zhang (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	DAFF (2009)
<i>Dothiorella gregaria</i> Sacc. (Ascomycetes: Dothideales)	CN, US	F, S	No	Yes	Abu-Goukh & Labavitch (1983); Farr <i>et al.</i> (2006)
<i>Endomycopsis mali</i> (Lewis) Dekker (= <i>Endomyces mali</i> Lewis) (Saccharomycetes: Saccharomycetales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Epicoccum nigrum</i> Link (Ascomycetes)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Eremascus fertilis</i> Stoppel (Ascomycetes)	CN	S	Yes	No	CASI (1994)
<i>Erysiphe cichoracearum</i> DC. (Ascomycetes: Erysiphales)	CN, US	I, L, S	No	No	CABI (2007); Wu & Guo (1987)
<i>Erysiphe heraclei</i> DC. (Ascomycetes: Erysiphales)	CN, US	I, L, S	No	No	Farr <i>et al.</i> (2006)
<i>Eutypa lata</i> (Pers.) Tul. & Tul. (Ascomycetes: Xylariales)	CN, US	S	No	No	CABI (2007); Farr <i>et al.</i> (2006)
<i>Eutypella stellulata</i> (Fr.:Fr.) Sacc. (Ascomycetes: Xylariales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Flammulina velutipes</i> (Curtis:Fr.) Singer (= <i>Collybia velutipes</i> [Curtis:Fr.] Kumm.) (Basidiomycetes: Agaricales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Fomes fomentarius</i> (L.:Fr.) Kickx (Basidiomycetes: Polyporales)	CN, US	R, S	No	No	Farr <i>et al.</i> (2006); Wellman (1977)

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<i>Fomitopsis pinicola</i> (Sw.:Fr.) Karst. (= <i>Fomes pinicola</i> [Sw.:Fr.] Fr.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Fusarium</i> sp. (Ascomycetes: Hypocreales)	CN	F	Yes	Yes	Farr <i>et al.</i> (2006); Liu <i>et al.</i> (1995)
<i>Fusarium arthrosporioides</i> Sherbakov (Ascomycetes: Hypocreales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Hu <i>et al.</i> (1996)
<i>Fusarium camptoceras</i> Wollenw. & Reinking (Ascomycetes: Hypocreales)	CN, US	R	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Fusarium culmorum</i> (Sm.) Sacc. (Ascomycetes: Hypocreales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Fusarium equiseti</i> (Corda) Sacc. (= <i>F. scirpi</i> Lambotte & Fautrey) (Ascomycetes: Hypocreales)	CN, US	R, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Fusarium oxysporum</i> Schldl.:Fr. (Ascomycetes: Hypocreales)	CN, US	F, R	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Fusarium oxysporum</i> f. sp. <i>vasinfectum</i> (Atk.) Snyder & Hansen (= <i>F. vasinfectum</i> Atk.) (Ascomycetes: Hypocreales)	CN, US	R, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Fusarium poae</i> (Peck) Wollenw. (Ascomycetes: Hypocreales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006); Olszak (1994)
<i>Fusicladium carpophilum</i> (Thüm.) Oudem. (Ascomycetes: Pleosporales) (= <i>Cladosporium carpophilum</i> Thüm.)	CN, US	F, L, S	No	Yes	AQIS (1998); Farr <i>et al.</i> (2006)



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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Fusidium</i> sp. (Ascomycetes: Hypocreales)	CN	F	Yes	Yes	Liu <i>et al.</i> (1995)
<i>Ganoderma applanatum</i> (Pers.) Pat. (= <i>Fomes applanatus</i> [Pers.] Gill.) (Basidiomycetes: Polyporales)	CN, US	R, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Gibberella acuminata</i> Wollenw. (Ascomycetes: Hypocreales) (anamorph: <i>Fusarium acuminatum</i> Ell. & Kellerman)	CN, US	F	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Sumbali & Badyal (1990); Zhao (2001)
<i>Gibberella avenacea</i> Cook (Ascomycetes: Hypocreales) (anamorph: <i>Fusarium avenaceum</i> [Fr.] Sacc.)	CN, US	F, I, R, S	No	Yes	CABI (2007); Kirk (2008)
<i>Gibberella baccata</i> (Wallr.) Sacc. (Ascomycetes: Hypocreales) (anamorph: <i>Fusarium lateritium</i> Nees)	CN, US	S	No	No	CABI (2007); Farr <i>et al.</i> (2006); Langrell (2002)
<i>Gibberella fujikuroi</i> (Sawada) Ito (Ascomycetes: Hypocreales) (anamorph: <i>Fusarium moniliforme</i> Sheldon)	CN, US	F, I, L, R, S, Sd	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Wu <i>et al.</i> (2003)
<i>Gibberella tricineta</i> El-Gholl <i>et al.</i> (Ascomycetes: Hypocreales) (anamorph: <i>Fusarium tricinatum</i> [Corda] Sacc.)	CN, US	I, L, R	No	No	CABI (2007); Dullahide <i>et al.</i> (1994); El Gholl <i>et al.</i> (1978); Farr <i>et al.</i> (2006); Ren <i>et al.</i> (2003)
<i>Gloeodes pomigena</i> (Schwein.) Colby (Ascomycetes) (= <i>Phyllachora pomigena</i> [Schwein.] Sacc.)	CN, US	F, L, S	No	Yes	CABI (2007); CASI (1994); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Glomerella cingulata</i> (Stonem.) Spauld. & Schrenk (Ascomycetes) (= <i>Gloeosporium fructigenum</i> Berk., <i>G. rufomaculans</i> [Berk.] Thüm.) (anamorph: <i>Colletotrichum gloeosporioides</i> [Penz.] Penz. & Sacc.)	CN, US	F, I, L, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Kirk (2008); Shahi <i>et al.</i> (2003)
<i>Glomerella tucumanensis</i> (Speg.) Arx & Müll. (Ascomycetes) (anamorph: <i>Colletotrichum falcatum</i> Went)	CN, US	F, L	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Grovesinia pyramidalis</i> Cline <i>et al.</i> (Ascomycetes: Helotiales)	CN, US	L	No	No	Farr <i>et al.</i> (2006); Jones (2000); Lei <i>et al.</i> (2000)
<i>Guignardia bidwellii</i> (Ellis) Viala & Ravaz (Ascomycetes: Dothideales) (= <i>Greenaria uvicola</i> [Berk. & Curtis] Punith.	CN, US	F, L, S	No	Yes	Farr <i>et al.</i> (2006); Kirk (2008); Sutton & Gibson (1977)
<i>Gymnosporangium clavariiforme</i> (Wulfen) DC. (Urediniomycetes: Uredinales)	CN, US	F, L, S	No	Yes	Farr <i>et al.</i> (2006); Wellman (1977)
<i>Gymnosporangium confusum</i> Plowr. (Urediniomycetes: Uredinales)	CN, US	F, L, S	No	Yes	Farr <i>et al.</i> (2006)
<i>Gymnosporangium cornutum</i> Arthur ex Kern (= <i>G. aurantiacum sensu auct.</i> , <i>G. juniperinum</i> [L.] Fr.) (Urediniomycetes: Uredinales)	CN, US	F, L	No	Yes	Duke (1983); Farr <i>et al.</i> (2006)
<i>Gymnosporangium fuscum</i> Hedw. (= <i>G. sabinae</i> [Dicks.] Winter) (Urediniomycetes: Uredinales)	CN, US	F, L, S	No	Yes	Duke (1983); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Gymnosporangium tremelloides</i> Hartig (Urediniomycetes: Uredinales)	CN, US	L, S	No	No	Farr <i>et al.</i> (2006)
<i>Gymnosporangium yamadai</i> Miyabe ex Yamada (Urediniomycetes: Uredinales)	CN, US	F, L	No	Yes	CASI (1994); Gregory <i>et al.</i> (2010); Jones & Aldwinckle (1990); Laundon (1977)
<i>Haematonectria haematococca</i> (Berk. & Broome) Samuels & Rossman (Ascomycetes: Hypocreales) (anamorph: <i>Fusarium solani</i> [Martius] Sacc.)	CN, US	F, R, S	No	Yes	Farr <i>et al.</i> (2006); Kirk (2008)
<i>Helicobasidium mompa</i> Tanaka (Ustilaginomycetes)	CN	R	Yes	No	Farr <i>et al.</i> (2006); Lutz <i>et al.</i> (2004)
<i>Hendersonia piricola</i> Sacc. (Ascomycetes: Pleosporales)	CN	L	Yes	No	Farr <i>et al.</i> (2006); Voges (1909)
<i>Heterobasidium annosum</i> (Fr.:Fr.) Bref. (Basidiomycetes: Russulales) (= <i>Fomes annosus</i> [Fr.:Fr.] Cooke)	CN, US	R, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Houjia yanglingensis</i> Sun & Crous (Ascomycetes: Capnodiaceae)	CN, US	F	No	Yes	Yang <i>et al.</i> (2010)
<i>Hypholoma fasciculare</i> (Huds.:Fr.) Kumm. (Basidiomycetes: Agaricales) (= <i>Nematoloma fasciculare</i> [Huds.:Fr.] P. Karst.)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Hypholoma sublateritium</i> (Fr.) Quel. (= <i>Nematoloma sublateritium</i> [Fr.] Karst.) (Basidiomycetes: Agaricales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Hypoxylon serpens</i> (Pers.) Kickx (Ascomycetes: Xylariales)	CN, US	S	No	No	CABI (2007); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Hypsizygus ulmarius</i> [Bull.:Fr.] Redhead (= <i>Pleurotus ulmarius</i> [Bull.:Fr.] Kumm.) (Basidiomycetes: Agaricales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Inonotus hispidus</i> (Bull.) Karst. (= <i>Xanthochrous hispidus</i> [Bull.] Pat., <i>Polyporus hispidus</i> [Bull.:Fr.] Fr.) (Basidiomycetes: Hymenochaetales)	CN, US	S	No	No	CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Irpex lacteus</i> (Fr.:Fr.) Fr. (= <i>I. tulipiferae</i> [Schwein.] Schwein.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Kloeckera</i> spp. (Saccharomycetes: Saccharomycetales)	CN	F	Yes	Yes	Wang <i>et al.</i> (2004)
<i>Lasiodiplodia theobromae</i> (Pat.) Griffon & Maubl. (Ascomycetes: Dothideales) (= <i>Botryodiplodia theobromae</i> Pat.)	CN, US	F, I, L, R, S, Sd	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Lecanidion atratum</i> (Hedw.) Rabenh. (= <i>Patellaria atrata</i> [Hedw.] Fr.) (Ascomycetes: Patellariales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Lentinus tigrinus</i> (Bull.:Fr.) Fr. (Basidiomycetes: Polyporales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Lenzites betulina</i> (L.:Fr.) Fr. (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)

Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Leptotypha cupressi</i> (Natrass, Booth & Sutton) Swart (Ascomycetes: Xylariales) (= <i>Monochaetia mali</i> [Ellis & Everh.] Sacc., <i>M. unicornis</i> [Cooke & Ellis] Sacc.)	CN, US	L, S	No	No	CABI (2007); CASI (1994); Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Leptosphaeria mandshurica</i> Miura (Ascomycetes: Pleosporales)	CN	L	Yes	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Leucostoma persoonii</i> Höhn (= <i>Valsa leucostoma</i> [Pers.] Fr.) (Ascomycetes: Diaporthales) (anamorph: <i>Cytospora leucostoma</i> Sacc.)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Macrophoma kawatsukai</i> Hara (Ascomycetes: Dothideales)	CN	F	Yes	Yes	Farr <i>et al.</i> (2006); Zhang <i>et al.</i> (1995)
<i>Macrophomina phaseolina</i> (Tassi) Goidanich (= <i>M. phaseoli</i> [Maubl.] Ashby) (Ascomycetes)	CN, US	R	No	No	CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Meruliopsis corium</i> (Fr.:Fr.) Ginns (= <i>Merulius confluens</i> Schwein., <i>M. corium</i> [Fr.:Fr.] Fr.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Microdochium dimerum</i> (Penz.) Arx (Ascomycetes: Xylariales) (= <i>Fusarium dimerum</i> Penz.)	CN, US	L, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Microsphaeropsis fuckelii</i> (Sacc.) Boerema (Ascomycetes: Dothideales) (= <i>Coniothyrium fuckelii</i> Sacc., <i>Leptosphaeria coniothyrium</i> [Fuckel] Sacc.)	CN, US	L, S	No	No	CABI (2007); Farr <i>et al.</i> (2006)
<i>Monilia polystroma</i> van Leeuwen (Ascomycetes: Helotiales)	CN	F, L	Yes	Yes	Farr & Rossman (2009); Petróczy & Palkovics (2009); Zhu & Guo (2010)
<i>Monilinia fruticola</i> (Winter) Honey (Ascomycetes: Helotiales)	CN, US	F, I, L, S	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Monilinia fructigena</i> Honey (Ascomycetes: Helotiales) (= <i>Stromatinia fructigena</i> [Schrot.] Boud. anamorph: <i>Sclerotinia fructigena</i> [Pers.] Schrot.)	CN	F, I, S	Yes	Yes	Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Monilinia laxa</i> (Aderh. & Ruhland) Honey (Ascomycetes: Helotiales) (= <i>Monilia cinerea</i> Bonord., <i>Sclerotinia laxa</i> Aderh. & Ruhland)	CN, US	F, I, L, S	No	Yes	CABI (2007); Duke (1983)
<i>Monilinia mali</i> (Takahashi) Whetzel (= <i>Sclerotinia mali</i> Takahashi) (Ascomycetes: Helotiales)	CN	F, I, L, S	Yes	No <sup>224</sup>	CASI (1994); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990); Kirk (2008)
<i>Monodictys melanopa</i> (Ach. ex Turner) Ellis (Ascomycetes: Dothideales)	CN	S	Yes	No	Farr <i>et al.</i> (2006)
<i>Mucor mucedo</i> Mich. ex Saint-Amans (Zygomycetes: Mucorales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Mucor piriformis</i> Fischer (Zygomycetes: Mucorales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990); Qiao & Zong (2003)
<i>Mucor racemosus</i> Fresen. (Zygomycetes: Mucorales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Mycosphaerella pomacearum</i> (Cord.) Sacc. (Ascomycetes: Mycosphaerellales)	CN	L	Yes	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Mycosphaerella pomi</i> (Pass.) Lindau (= <i>Sphaerella pomi</i> Pass.) (Ascomycetes: Mycosphaerellales) (anamorph: <i>Cylindrosporium pomi</i> Brooks)	CN, US	F, L	No	Yes	CABI (2007); Jones & Aldwinckle (1990); Wellman (1977); Xu <i>et al.</i> (2000)
<i>Mycosphaerella pyri</i> (Auersw.) Boerema (= <i>M. sentina</i> [Fr.:Fr.] Schröt.) (Ascomycetes: Mycosphaerellales) (anamorphs: <i>Septoria pyricola</i> [Desm.] Desm., <i>S. pyri</i> Castagne)	CN, US	L	No	No	CABI (2007); Duke (1983); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Mycosphaerella tulasnei</i> (Jancz.) Lindau (Ascomycetes: Mycosphaerellales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Nectria cinnabarina</i> (Tode) Fr. (= <i>Creonectria purpurea</i> [L.] Seaver) (Ascomycetes: Hypocreales)	CN, US	S	No	No	CABI (2007); Duke (1983); Jones & Aldwinckle (1990)
<i>Nematospora coryli</i> Peglion (Ascomycetes)	CN, US	F	No	Yes	CABI (2007); Ershad & Barkhordary (1974)
<i>Neonectria coccinea</i> (Pers.:Fr.) Rossman & Samuels (= <i>Nectria coccinea</i> [Pers.:Fr.] Fr.) (Ascomycetes: Hypocreales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Neonectria ditissima</i> Tul. & Tul. (= <i>Nectria galligena</i> Bres., <i>Cylindrosporium mali</i> ) (Ascomycetes: Hypocreales) (anamorph: <i>Cylindrocarpon mali</i> [Allsch.] Wollenw.)	CN, US	F, S	No	Yes	CABI (2007); DAFF (2009); Farr <i>et al.</i> (2006); Horst (2001); Kirk (2008)
<i>Neonectria radicola</i> (Gerlach & Nilsson) Mantiri & Samuels (= <i>Nectria radicola</i> Gerlach & Nilsson) (anamorph: <i>Cylindrocarpon destructans</i> [Zinssmeister] Scholten) (Ascomycetes: Hypocreales)	CN, US	R, S	No	No	Bai <i>et al.</i> (1999); CABI (2007); Farr <i>et al.</i> (2006)
<i>Nigrospora oryzae</i> (Berk. & Broome) Petch (Ascomycetes: Trichosphaeriales)	CN, US	L	No	No	Farr <i>et al.</i> (2006); Jones (2000)
<i>Nigrospora sphaerica</i> (Sacc.) Mason (Ascomycetes: Trichosphaeriales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Oidium</i> sp. (Ascomycetes: Erysiphales)	CN	L, S <sup>225</sup>	Yes	No	Farr <i>et al.</i> (2006)
<i>Paraconiothyrium</i> sp. (Ascomycetes: Pleosporales)	CN	F	Yes	Yes	DAFF (2009)
<i>Passalora</i> sp. (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	DAFF (2009)
<i>Peltaster</i> sp. (Ascomycetes)	CN	F	Yes	Yes	DAFF (2009)
<i>Penicillium</i> sp. (Ascomycetes: Eurotiales)	CN	F	Yes	Yes	Liu <i>et al.</i> (1995)



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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Penicillium aurantiogriseum</i> Dierckx (= <i>P. cyclopium</i> , Westling, <i>P. solitum</i> Westling) (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Amiri & Bompeix (2005); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Penicillium brevicompactum</i> Dierckx (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Chen <i>et al.</i> (1991); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Penicillium chrysogenum</i> Thom (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Amiri & Bompeix (2005); Farr <i>et al.</i> (2006)
<i>Penicillium crustosum</i> Thom (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Penicillium digitatum</i> (Pers.:Fr.) Sacc. (Ascomycetes: Eurotiales)	CN, US	F, I, L, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Penicillium diversum</i> Raper & Fennell (Ascomycetes: Eurotiales)	CN	F	Yes	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Penicillium expansum</i> Link (Ascomycetes: Eurotiales)	CN, US	F, L	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Penicillium funiculosum</i> Thom (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Penicillium glabrum</i> (Wehmer) Westling (= <i>P. frequentans</i> Westling) (Ascomycetes: Eurotiales)	CN, US	F, L	No	Yes	CASI (1994); Farr <i>et al.</i> (2006)
<i>Penicillium implicatum</i> Biourge (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Penicillium islandicum</i> Sopp (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	CASI (1994); Farr <i>et al.</i> (2006)
<i>Penicillium italicum</i> Wehmer (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Penicillium puberulum</i> Bainier (= <i>P. commune</i> Thom) (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Penicillium spinulosum</i> Thom (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Penicillium variabile</i> Sopp (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Penicillium viridicatum</i> Westling (Ascomycetes: Eurotiales)	CN, US	F	No	Yes	Bi & Zhang (1993); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Peniophora cinerea</i> (Pers.:Fr.) Cooke (Basidiomycetes: Russulales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Perenniporia tenuis</i> var. <i>tenuis</i> (Schwein.) Ryvarden (= <i>Poria tenuis</i> [Schwein.] Cooke) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006); Kirk (2008)
<i>Pestalotia disseminata</i> Thüm. (Ascomycetes: Xylariales)	CN, US	F, L, S	No	Yes	AQIS (1998); Farr <i>et al.</i> (2006)
<i>Pestalotia hartigii</i> Tubeuf (Ascomycetes: Xylariales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Pestalotia laurocerasi</i> Westend. (= <i>P. truncata</i> var. <i>rubi</i> Karst.) (Ascomycetes: Xylariales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Pestalotiopsis breviseta</i> (Sacc.) Steyaert (= <i>Pestalotia breviseta</i> Sacc.) (Ascomycetes: Xylariales)	CN, US	L	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Pestalotiopsis malicola</i> (Hori) Sun & Ge (= <i>Pestalotia malicola</i> Hori) (Ascomycetes: Xylariales)	CN	F, L, S	Yes	Yes	Farr <i>et al.</i> (2006); Kirk (2008); Sun & Cao (1990)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Pestalotiopsis versicolor</i> (Speg.) Steyaert (Ascomycetes: Xylariales)	CN, US	F, L, S	No	Yes	Basak (1992); Farr <i>et al.</i> (2006); Majumdar & Pathak (1997); Soni <i>et al.</i> (1991)
<i>Pezicula alba</i> Guthrie (= <i>Gloeosporium album</i> Osterwalder, <i>Phlyctema vagabunda</i> Desm., <i>Trichoseptoria fructigena</i> Maubl.) (Ascomycetes: Helotiales)	CN, US	F, S	No	Yes	CABI (2007); Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Pezicula malicorticis</i> (Jackson) Nannf. (= <i>Neofabraea malicorticis</i> Jackson) (Ascomycetes: Helotiales)	CN, US	F, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Phellinus igniarius</i> (L.:Fr.) Quél. (Basidiomycetes: Hymenochaetales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Phellinus pomaceus</i> (Pers.) Maire (= <i>Fomes pomaceus</i> [Pers.] Lloyd) (Basidiomycetes: Hymenochaetales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Pholiota adiposa</i> (Fr.:Fr.) Kumm. (= <i>P. aurivella</i> [Batsch] Fr.) (Basidiomycetes: Agaricales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Pholiota squarrosa</i> (Fr.:Fr.) Kumm. (Basidiomycetes: Agaricales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Phoma enteroleuca</i> var. <i>enteroleuca</i> Sacc. (Ascomycetes: Pleosporales)	CN, US	F, S	No	Yes	Farr <i>et al.</i> (2006)
<i>Phoma exigua</i> Desmaz. (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Phoma glomerata</i> (Corda) Wollenw. & Hochapfel (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990); Qiao & Zong (2002)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Phoma macrostoma</i> var. <i>macrostoma</i> Mont. (= <i>P. pomi</i> Pass., <i>Phyllosticta mali</i> Prill. & Delacr.) (Ascomycetes: Pleosporales)	CN, US	F, L, S	No	Yes	CASI (1994); Farr <i>et al.</i> (2006); PRC (1998); Wellman (1977)
<i>Phoma pomorum</i> var. <i>pomorum</i> Thüm. (= <i>P. pomorum</i> Thüm., <i>Coniothyrium pyrinum</i> [Sacc.] Sheld., <i>Phyllosticta pyrina</i> [= <i>pirina</i> ] Sacc., <i>P. prunicola</i> Sacc., <i>P. persicae</i> Sacc.) (Ascomycetes: Pleosporales)	CN, US	F, L, S	No	Yes	CASI (1994); Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008); PRC (1998); Wellman (1977)
<i>Phomopsis fukushii</i> Endo & Tanaka (Ascomycetes: Diaporthales)	CN	F, S	Yes	Yes	CASI (1994); Farr <i>et al.</i> (2006); Nasu <i>et al.</i> (1987)
<i>Phomopsis truncicola</i> Miura (Ascomycetes: Diaporthales)	CN	S	Yes	No	Farr <i>et al.</i> (2006); Won <i>et al.</i> (1972)
<i>Phyllactinia guttata</i> (Wallr.:Fr.) Lév. (= <i>P. suffulta</i> [Rebent.] Sacc., <i>P. guttata</i> f.sp. <i>alni</i> Hammarlund) (Ascomycetes: Erysiphales)	CN, US	L, S	No	No	Duke (1983); Farr <i>et al.</i> (2006); Kirk (2008); Wu & Guo (1987)
<i>Phyllactinia mali</i> (Duby) Braun (= <i>P. pyri</i> [Castagne] Homma) (Ascomycetes: Erysiphales)	CN, US	L	No	No	Heluta & Minter (1998); Liu & Gao (1997)
<i>Phyllosticta arbutifolia</i> Ellis & Martin (= <i>P. solitaria</i> Ellis & Everh.) (Ascomycetes: Dothideales)	CN, US	F, L, S	No	Yes	Farr <i>et al.</i> (2006)
<i>Phyllosticta tumanensis</i> Miura (Ascomycetes: Dothideales)	CN	L, S <sup>326</sup>	Yes	No	CASI (1994); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Phymatotrichopsis omnivora</i> (Duggar) Hennebert (= <i>Phymatotrichum omnivorum</i> Duggar) (Basidiomycetes)	CN, US	R	No	No	CABI (2007); Duke (1983); Farr <i>et al.</i> (2006)
<i>Phytophthora boehmeriae</i> Sawada (Oomycetes: Pythiales)	CN	F	Yes	Yes	Farr <i>et al.</i> (2006); Wellman (1977)
<i>Phytophthora cactorum</i> (Lebert & Cohn) Schröter (Oomycetes: Pythiales)	CN, US	F, R, S	No	Yes	CABI (2007)
<i>Phytophthora cambivora</i> (Petri) Buisman (Oomycetes: Pythiales)	CN, US	R, S	No	No	Bounous & Liu (1996); Farr <i>et al.</i> (2006)
<i>Phytophthora capsici</i> Leonian (Oomycetes: Pythiales)	CN, US	F, L, R, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Phytophthora cinnamomi</i> Rands (Oomycetes: Pythiales)	CN, US	L, R, S	No	No	CABI (2007); Farr <i>et al.</i> (2006)
<i>Phytophthora citricola</i> Sawada (Oomycetes: Pythiales)	CN, US	F, R, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Phytophthora citrophthora</i> (Sm. & Sm.) Leonian (Oomycetes: Pythiales)	CN, US	F, L, R, S, Sd	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Phytophthora cryptogea</i> Pethybr. & Laff. (Oomycetes: Pythiales)	CN, US	R, S	No	No	CABI (2007)
<i>Phytophthora drechsleri</i> Tucker (Oomycetes: Pythiales)	CN, US	R, S	No	No	CABI (2007); Jones & Aldwinckle (1990)
<i>Phytophthora insolita</i> Ann & Ko (Oomycetes: Pythiales)	CN, US	F	No	No <sup>327</sup>	Farr <i>et al.</i> (2006); Ho <i>et al.</i> (2002)
<i>Phytophthora megasperma</i> Drechsler (Oomycetes: Pythiales)	CN, US	R, S	No	No	CABI (2007)
<i>Phytophthora nicotianae</i> Breda de Haan (= <i>P. parasitica</i> Dastur) (Oomycetes: Pythiales)	CN, US	F, L, R, S, Sd	No	Yes	CABI (2007); Duke (1983); Farr <i>et al.</i> (2006)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Phytophthora palmivora</i> (Butler) Butler (Oomycetes: Pythiales)	CN, US	F, I, L, R, S, Sd	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Phytophthora vignae</i> Purss (Oomycetes: Pythiales)	CN	L, R, S	Yes	No	CABI (2007); Duke (1983)
<i>Pithomyces chartarum</i> (Berk. & Curtis) Ellis (Ascomycetes: Pleosporales)	CN, US	L, S	No	No	Farr <i>et al.</i> (2006); Malavolta <i>et al.</i> (1980)
<i>Pleospora herbarum</i> (Fr.) Rabenh. (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	CABI (2007); Jones & Aldwinckle (1990)
<i>Pleospora mali</i> Hesler (Ascomycetes: Pleosporales) (anamorph: <i>Hendersonia mali</i> Thüm.)	CN, US	L, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Pleurotus ostreatus</i> (Jacq.:Fr.) Kumm. (Basidiomycetes: Agaricales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Podospaera clandestina</i> (Wallr.:Fr.) Lév. (= <i>P. oxyacanthae</i> [DC.] de Bary) (Ascomycetes: Erysiphales)	CN, US	L	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Podospaera leucotricha</i> (Ell. & Ev.) Salmon (Ascomycetes: Erysiphales) (anamorph: <i>Oidium farinosum</i> Cooke)	CN, US	F, I, L, S	No	Yes	CABI (2007); Duke (1983); Farr <i>et al.</i> (2006); Wu & Guo (1987)
<i>Polyporus badius</i> (Pers.) Schwein. (= <i>P. picipes</i> Fr.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Polyporus leptcephalus</i> (Jacq.) Fr. (Basidiomycetes: Polyporales)	CN	S	Yes	No	Farr <i>et al.</i> (2006); Müller <i>et al.</i> (2007)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Psathyrella incerta</i> (Peck) Sm. (= <i>Hypholoma incertum</i> [Peck] Sacc.) (Basidiomycetes: Agaricales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Pseudocercospora</i> sp. (Ascomycetes: Mycosphaerellales)	CN	F	Yes	Yes	DAFF (2009)
<i>Pseudocercospora mali</i> (Ellis & Everh.) Deighton (= <i>Cercospora mali</i> Ellis & Everh., <i>C. minima</i> Tracy & Earle) (Ascomycetes: Mycosphaerellales)	CN, US	L	No	No	Farr <i>et al.</i> (2006); Wellman (1977)
<i>Puccinia heterospora</i> Berk. & Curtis (Urediniomycetes: Uredinales)	CN, US	L, S <sup>28</sup>	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Punctularia strigosozonata</i> (Schwein.) Talbot (= <i>Phlebia strigosozonata</i> [Schwein.] Lloyd) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006); Shivas (1989)
<i>Pycnoporus cinnabarinus</i> (Jacq. Fr.) Karst. (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Pycnoporus coccineus</i> (Fr.) Bondartsev & Singer (Basidiomycetes: Polyporales)	CN	S	Yes	No	Shivas (1989); Tolgor (2000)
<i>Pyrenochaeta mali</i> Sm. (= <i>Phoma herbarum</i> Westend.) (Ascomycetes: Pleosporales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Pythium acanthicum</i> Drechsler (Oomycetes: Pythiales)	CN, US	F, R	No	Yes	Farr <i>et al.</i> (2006); Spencer (2005)
<i>Pythium acanthophoron</i> Sideris (Oomycetes: Pythiales)	CN, US (HI)	R	Yes	No	Farr <i>et al.</i> (2006); Jiang <i>et al.</i> (1990); Kageyama & Ui (1981)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Pythium aphanidermatum</i> (Edson) Fitzp. (Oomycetes: Pythiales)	CN, US	R	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Pythium arrhenomanes</i> Drechsler (Oomycetes: Pythiales)	CN, US	R	No	No	Farr <i>et al.</i> (2006); Yu <i>et al.</i> (1999)
<i>Pythium debaryanum</i> auct. non Hesse (Oomycetes: Pythiales)	CN, US	R	No	No	CABI (2007); Farr <i>et al.</i> (2006)
<i>Pythium intermedium</i> de Bary (Oomycetes: Pythiales)	CN, US	R	No	No	Duke (1983); Farr <i>et al.</i> (2006); Shivas (1989); Waterhouse & Waterstan (1964)
<i>Pythium irregulare</i> Buisman (Oomycetes: Pythiales)	CN, US	R, S	No	No	CABI (2007)
<i>Pythium mamillatum</i> Meurs (Oomycetes: Pythiales)	CN, US	F, R	No	Yes	Farr <i>et al.</i> (2006); Jiang <i>et al.</i> (1990)
<i>Pythium oligandrum</i> Drechsler (Oomycetes: Pythiales)	CN, US	R, S	No	No	Farr <i>et al.</i> (2006); Wellman (1977)
<i>Pythium paroecandrum</i> Drechsler (Oomycetes: Pythiales)	CN, US	R, S	No	No	Farr <i>et al.</i> (2006)
<i>Pythium spinosum</i> Sawada (Oomycetes: Pythiales)	CN, US	R	No	No	Farr <i>et al.</i> (2006); Shivas (1989)
<i>Pythium splendens</i> Braum (Oomycetes: Pythiales)	CN, US	R	No	No	Farr <i>et al.</i> (2006); Shivas (1989)
<i>Pythium ultimum</i> Trow (Oomycetes: Pythiales)	CN, US	F, R	No	Yes	CABI (2007); Horst (2001)
<i>Pythium vexans</i> de Bary (Oomycetes: Pythiales)	CN, US	R	No	No	CABI (2007); Farr <i>et al.</i> (2006)
<i>Rhizidhysterium rufulum</i> (Spreng.:Fr.) Speg. (= <i>Tryblidiella rufula</i> [Spreng.:Fr.] Sacc.) (Ascomycetes: Patellariales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Rhizopus arrhizus</i> Fisch. (Zygomycetes: Mucorales)	CN, US	F	No	Yes	Bagwan (2003); Duke (1983); Farr <i>et al.</i> (2006)



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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Rhizopus stolonifer</i> (Ehrenb.) Lind (= <i>R. nigricans</i> Ehrenb.) (Zygomycetes: Mucorales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Shahi <i>et al.</i> (2003)
<i>Rosellinia arcuata</i> Petch (Ascomycetes: Xylariales)	CN	R	Yes	No	CABI (2007); Shanmuganathan (1974)
<i>Rosellinia bunodes</i> (Berk. & Broome) Sacc. (Ascomycetes: Xylariales)	CN	R	Yes	No	Farr <i>et al.</i> (2006); Wellman (1977)
<i>Rosellinia necatrix</i> Prill. (Ascomycetes: Xylariales) (anamorph: <i>Dematophora necatrix</i> Hartig)	CN, US	R	No	No	CABI (2007); Duke (1983)
<i>Saccharomyces cerevisiae</i> Meyen ex Hansen (Saccharomycetes: Saccharomycetales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Wang <i>et al.</i> (2004)
<i>Schizophyllum commune</i> Fr.:Fr. (Basidiomycetes: Agaricales)	CN, US	S	No	No	CASI (1994); Farr <i>et al.</i> (2006)
<i>Schizothyrium pomi</i> (Mont.) Arx (Ascomycetes: Microthyriales) (= <i>Leptothyrium pomi</i> Selby, <i>Zygophiala jamaicensis</i> Mason)	CN, US	F, L, S	No	Yes	CABI (2007); CASI (1994); Farr <i>et al.</i> (2006); Kirk (2008)
<i>Sclerotinia kenjiana</i> Miura (Ascomycetes: Helotiales)	CN	F	Yes	Yes	CASI (1994); Farr <i>et al.</i> (2006)
<i>Sclerotinia sclerotiorum</i> (Lib.) de Bary (Ascomycetes: Helotiales)	CN, US	F, L	No	Yes	CABI (2007); Jones & Aldwinckle (1990)
<i>Seimatosporium lichenicola</i> (Corda) Shoemaker & Müll. (Ascomycetes: Xylariales) (= <i>Coryneum foliicola</i> Fuckel)	CN, US	F, L	No	Yes	CASI (1994); Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Septobasidium bogoriense</i> Pat. (Urediniomycetes: Septobasidiales)	CN	S	Yes	No	AQIS (1998); Farr <i>et al.</i> (2006)
<i>Septobasidium pedicellatum</i> (Schwein.) Pat. (Urediniomycetes: Septobasidiales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006); Saccardo (1895); Zhang <i>et al.</i> (1996)
<i>Septobasidium tanakae</i> (Miyabe) Boedijn & Steinn. (Urediniomycetes: Septobasidiales)	CN	S	Yes	No	AQIS (1998); Farr <i>et al.</i> (2006); Saccardo (1925)
<i>Sphaceloma pyrum</i> (Peglion) Jenk. (Ascomycetes: Myriangiales)	CN, US	F, L	No	Yes	CASI (1994); Farr <i>et al.</i> (2006)
<i>Sphaeropsis pomorum</i> (Schwein.) Cooke (Ascomycetes)	CN, US	F	No	Yes	Duke (1983); Farr <i>et al.</i> (2006)
<i>Sphaerotheca pannosa</i> (Wallr.: Fr.) Lév. (Ascomycetes: Erysiphales)	CN, US	F, I, L, S	No	Yes	Farr <i>et al.</i> (2006)
<i>Stagonospora prominula</i> (Berk. & Curtis) Sacc. (Ascomycetes: Pleosporales)	CN, US	F, L	No	Yes	CASI (1994); Farlow & Seymour (1888); Farr <i>et al.</i> (2006)
<i>Stenella</i> sp. (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	DAFF (2009)
<i>Stereum hirsutum</i> (Willd.: Fr.) Gray (= <i>S. complicatum</i> [Fr.] Fr.) (Basidiomycetes: Russulales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Stigmata carpophila</i> (Lév.) Ellis (Ascomycetes: Dothideales) (= <i>Clasterosporium carpophilum</i> [Lév.] Aderh.)	CN, US	F, L, S	No	Yes	Duke (1983); Farr <i>et al.</i> (2006)
<i>Stomiopeltis</i> spp. (Ascomycetes)	CN	F	Yes	Yes	DAFF (2009)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Sirelitziana mali</i> Sun & Zhang (Eurotiomycetes: Chaetothyriales)	CN	F	Yes	Yes	Zhang <i>et al.</i> (2009)
<i>Thanatephorus cucumeris</i> (Frank) Donk (Basidiomycetes: Ceratobasidiales) (anamorphs: <i>Rhizoctonia solani</i> Kühn, <i>R. aderholdii</i> Kolosch)	CN, US	F, I, L, R, S, Sd	No	Yes	CABI (2007); Duke (1983); Farr <i>et al.</i> (2006)
<i>Trametes trogii</i> Berk. (= <i>T. gallica</i> var. <i>trogii</i> [Berk.] Sacc.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Farr <i>et al.</i> (2006); Kirk (2008)
<i>Trametes hirsuta</i> (Wulfen:Fr.) Quél. (Basidiomycetes: Polyporales) (= <i>Coriolus hirsutus</i> [Wulfen:Fr.] Quél.)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Trametes ochracea</i> (Pers.) Gilb. & Ryvarden (= <i>Coriolus zonatus</i> [Nees] Quél.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	Chi (2002); Farr <i>et al.</i> (2006); Helton <i>et al.</i> (1988); Kirk (2008)
<i>Trametes versicolor</i> (L.:Fr.) Pilát (= <i>Coriolus versicolor</i> [L.] Quél., <i>Polyporus versicolor</i> [L.:Fr.] Fr.) (Basidiomycetes: Polyporales)	CN, US	S	No	No	CASI (1994); Duke (1983); Farr <i>et al.</i> (2006)
<i>Trichoderma harzianum</i> Rifai (Ascomycetes: Hypocreales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Jones & Aldwinckle (1990)
<i>Trichoderma viride</i> Pers.:Fr. (Ascomycetes: Hypocreales)	CN, US	L, S	No	No	Duke (1983); Farr <i>et al.</i> (2006)
<i>Trichothecium</i> sp. (Ascomycetes)	CN	F	Yes	Yes	Tang & Chen (1997)
<i>Trichothecium roseum</i> (Pers.:Fr.) Link (= <i>Cephalothecium roseum</i> Corda) (Ascomycetes)	CN, US	F, S	No	Yes	Duke (1983); Farr <i>et al.</i> (2006)

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<i>Trimmatostroma</i> sp. (Ascomycetes)	CN	S <sup>329</sup>	Yes	No	Farr <i>et al.</i> (2006)
<i>Truncatella angustata</i> (Pers.) Hughes (Ascomycetes: Xylariales)	CN, US	F	No	Yes	Farr <i>et al.</i> (2006); Hu <i>et al.</i> (1996)
<i>Valsa ambiens</i> (Pers.:Fr.) Fr. (anamorphs: <i>Cytospora leucosperma</i> [Pers.:Fr.] Fr., <i>C. ambiens</i> Sacc., <i>C. carphosperma</i> Fr.) (Ascomycetes: Diaporthales)	CN, US	S	No	No	Farr <i>et al.</i> (2006)
<i>Valsa ceratosperma</i> (Tode:Fr.) Maire (= <i>V. americana</i> Berk. & Curtis) (Ascomycetes: Diaporthales)	CN, US	S	No	No	Duke (1983); Farr <i>et al.</i> (2006); Wang <i>et al.</i> (1998)
<i>Valsa mali</i> Miyabe & Yamada (= <i>Cytospora mali</i> Grove) (Ascomycetes: Diaporthales)	CN, US	S	No	No	CABI (2007); Farr <i>et al.</i> (2006); Fu <i>et al.</i> (2003); Kirk (2008)
<i>Valsa malicola</i> Urban (Ascomycetes: Diaporthales)	CN, US	S	No	No	Farr <i>et al.</i> (2006); Hayova & Minter (1998)
<i>Venturia inaequalis</i> (Cooke) Winter (Ascomycetes: Pleosporales) (anamorphs: <i>Fusicladium dendriticum</i> [Wallr.] Fuckel, <i>F. pomi</i> [Fr.] Lind, <i>Spilocaea pomi</i> Fr.)	CN, US	F, I, L, S	No	Yes	CABI (2007); Farr <i>et al.</i> (2006); Kirk (2008); Wellman (1977)
<i>Venturia pyrina</i> Aderhold (Ascomycetes: Pleosporales) (anamorph: <i>Fusicladium pyrorum</i> [Lib.] Fuckel)	CN, US	F, L	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)
<i>Verticillium dahliae</i> Kleb. (Ascomycetes: Hypocreales)	CN, US	F, I, L, R, S, Sd	No	Yes	CABI (2007); Farr <i>et al.</i> (2006)

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<i>Wallemia longxianensis</i> Sun & Zhang (Basidiomycetes: Wallemiales)	CN	F	Yes	Yes	Zhang (2006)
<i>Wallemia qiangyungensis</i> Sun & Zhang (Basidiomycetes: Wallemiales)	CN	F	Yes	Yes	Zhang (2006)
<i>Wallemia sebi</i> (Fr.) Arx (Basidiomycetes: Wallemiales)	CN, US	F	No	Yes	DAFF (2009); Farr <i>et al.</i> (2006)
<i>Xenostigma</i> sp. (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	DAFF (2009)
<i>Zygophiala cryptogama</i> Batzer & Crous (Ascomycetes: Capnodiales)	CN, US	F	No	Yes	Farr & Rossman (2009); Li <i>et al.</i> (2010)
<i>Zygophiala cylindrica</i> Sun <i>et al.</i> (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	Li <i>et al.</i> (2010)
<i>Zygophiala jamaicensis</i> Mason (Ascomycetes: Capnodiales)	CN, US	F	No	Yes	Farr & Rossman (2009); PRC (1998)
<i>Zygophiala liquanensis</i> Sun & Zhang (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	Zhang (2006)
<i>Zygophiala qianensis</i> Sun & Ma (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	Ma <i>et al.</i> (2010)
<i>Zygophiala tatyuenensis</i> Sun & Zhang (Ascomycetes: Capnodiales)	CN	F	Yes	Yes	Zhang (2006)
<b>ALGA</b>					
<i>Cephaleuros virescens</i> Künze (Trentepohliales: Trentepohliaceae)	CN, US	L	No	No	Farr <i>et al.</i> (2006); Gong <i>et al.</i> (2001); Wellman (1977)
<b>NEMATODES</b>					
<i>Aphelenchoides cibolensis</i> Riffle (Aphelenchoididae)	CN, US	R <sup>330</sup>	No	No	Lan (1993); Riffle (1972)
<i>Aphelenchoides limberi</i> Steiner (Aphelenchoididae)	CN	L <sup>331</sup>	Yes	No	Li (1984a)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Aphelenchoides parietinus</i> (Bastian) Steiner (Aphelenchoididae)	CN, US	R <sup>330</sup>	No	No	Handoo (2007); Lan (1993)
<i>Aphelenchoides vaughani</i> Maslen (Aphelenchoididae)	CN	R <sup>330</sup>	Yes	No	Lan (1993)
<i>Aphelenchus avenae</i> Bastian (Aphelenchidae)	CN, US	R <sup>330</sup>	No	No	Handoo (2007); Lan (1993)
<i>Criconemella curvata</i> (Raski) Luc & Raski (Criconematidae)	CN, US	R	No	No	Chen & Fong (1996); Handoo (2007); Maqbool (1982)
<i>Criconemoides mutabilis</i> Eroshenko (Criconematidae)	CN, US	R <sup>330</sup>	No	No	Handoo (2007); Lan (1993)
<i>Dorylaimus</i> spp. (Dorylaimidae)	CN	R <sup>330</sup>	Yes	No	Lan (1993)
<i>Filenchus thornei</i> (Andrássy) Andrássy (= <i>Tylenchus [Aglenchus] thornei</i> Andrássy, <i>T. angusticephalus</i> Thorne & Malek, <i>Aglenchus thornei</i> Andrássy) (Tylenchidae)	CN, US	R <sup>330</sup>	No	No	Handoo (2007); Lan (1993); UNL (2009)
<i>Helicotylenchus agricola</i> Elmiligy (Hoplolaimidae)	CN	R	Yes	No	CASI (1994)
<i>Helicotylenchus anhelicus</i> Sher (Hoplolaimidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)
<i>Helicotylenchus borinquensis</i> Román (Hoplolaimidae)	CN	R	Yes	No	CASI (1994)
<i>Helicotylenchus californicus</i> Sher (Hoplolaimidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)
<i>Helicotylenchus digonicus</i> Perry (Hoplolaimidae)	CN, US	R	No	No	Handoo (2007); Yin (1994)
<i>Helicotylenchus dihystra</i> (Cobb) Sher (Hoplolaimidae)	CN, US	R	No	No	CABI (2007)
<i>Helicotylenchus erythrinae</i> (Zimmermann) Golden (Hoplolaimidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)

Apple, *Malus pumila* Mill., from China

Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Helicotylenchus exallus</i> Sher (Hoplolaimidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)
<i>Helicotylenchus leiocephalus</i> Sher (Hoplolaimidae)	CN, US	R <sup>330</sup>	No	No	Handoo (2007); Lan (1993)
<i>Helicotylenchus lobus</i> Sher (Hoplolaimidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)
<i>Helicotylenchus pseudorobustus</i> (Steiner) Golden (Hoplolaimidae)	CN, US	R	No	No	CABI (2007); Handoo (2007)
<i>Helicotylenchus rotundicauda</i> Sher (Hoplolaimidae)	CN, US	R <sup>330</sup>	No	No	Handoo (2007); Lan (1993)
<i>Hemicriconemoides sinensis</i> Vovlas (Criconematidae)	CN	R <sup>332</sup>	Yes	No	Vovlas (1988)
<i>Lelenchus leptosoma</i> (de Man) Andr�ssy (Tylenchidae)	CN, US	R <sup>330</sup>	No	No	Handoo (2007); Lan (1993)
<i>Longidorus</i> sp. (Longidoridae)	CN	R <sup>330</sup>	Yes	No	Lan (1993)
<i>Longidorus macromucronatus</i> Siddiqi (Longidoridae)	CN, US	R <sup>333</sup>	No	No	Duke (1983); Norton <i>et al.</i> (1982); Wang <i>et al.</i> (1996)
<i>Ottolenchus</i> sp. (Tylenchidae)	CN	R <sup>330</sup>	Yes	No	Lan (1993)
<i>Meloidogyne hapla</i> Chitwood (Meloidogynidae)	CN, US	R	No	No	CABI (2007); Park <i>et al.</i> (1999)
<i>Meloidogyne incognita</i> (Kofoid & White) Chitwood (Meloidogynidae)	CN, US	R	No	No	CABI (2007); Sethi <i>et al.</i> (1988)
<i>Meloidogyne mali</i> Itoh <i>et al.</i> (Meloidogynidae)	CN	R	Yes	No	Jones & Aldwinckle (1990); Zhang & Xu (1994)
<i>Paraphelenchus myceliophthorus</i> Goodey (Paraphelenchidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)
<i>Paratrachodorus minor</i> (Colbran) Siddiqi (Trichodoridae)	CN, US	R	No	No	CABI (2007); Handoo (2007)
<i>Paratrachodorus porosus</i> (Allen) Siddiqi (Trichodoridae)	CN, US	R	No	No	CABI (2007)

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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Paratylenchus dianthus</i> Jenkins & Taylor (Tylenchulidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)
<i>Paratylenchus projectus</i> Jenkins (Tylenchulidae)	CN, US	R	No	No	Handoo (2007); Zhang <i>et al.</i> (2002)
<i>Pratylenchus brachyurus</i> (Godfrey) Filipjev & Schuurmans Stekhoven (Pratylenchidae)	CN, US	R	No	No	CABI (2007); Jones & Aldwinckle (1990); Yin (1991)
<i>Pratylenchus coffeae</i> (Zimmermann) Filipjev & Schuurmans Stekhoven (Pratylenchidae)	CN, US	R	No	No	Beaumont (1975); CABI (2007)
<i>Pratylenchus convallariae</i> Seinhorst (Pratylenchidae)	CN, US	R	No	No	CASI (1994); Handoo <i>et al.</i> (2001)
<i>Pratylenchus loosi</i> Loof (Pratylenchidae)	CN	R	Yes	No	CABI (2007)
<i>Pratylenchus penetrans</i> (Cobb) Filipjev & Schuurmans Stekhoven (Pratylenchidae)	CN, US	R	No	No	CABI (2007)
<i>Pratylenchus pratensis</i> (de Man) Filipjev (Pratylenchidae)	CN, US	R	No	No	Duke (1983); Esnard & Zuckerman (1998); Liu & Zhang (1999)
<i>Pratylenchus scribneri</i> Steiner (Pratylenchidae)	CN, US	R <sup>334</sup>	No	No	CABI (2007); Handoo (2007)
<i>Pratylenchus stupidus</i> Romanenko (Pratylenchidae)	CN	R <sup>335</sup>	Yes	No	Lan (1993)
<i>Pratylenchus vulnus</i> Allen & Jensen (Pratylenchidae)	CN, US	R	No	No	CABI (2007); Jones & Aldwinckle (1990)
<i>Pseudhalenchus anchiliposomus</i> Tarjan (Tylenchidae)	CN, US	R	No	No	CASI (1994); Handoo (2007)
<i>Scutellonema bizanae</i> Van den Berg & Heyns (Hoplolaimidae)	CN	R <sup>335</sup>	Yes	No	Vovlas & Li (1988)
<i>Trichodorus nanjingensis</i> Liu & Cheng (Trichodoridae)	CN	R <sup>336</sup>	Yes	No	Zheng <i>et al.</i> (2004)
<i>Tylenchorhynchus annulatus</i> (Cassidy) Golden (Dolichodoridae)	CN, US	R	No	No	CABI (2007); Handoo (2007)



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Pest	Geographic Distribution <sup>1</sup>	Plant Part Affected <sup>2</sup>	Quarantine Pest <sup>3</sup>	Likely to Follow Pathway	References
<i>Tylenchorhynchus malinus</i> Lin (Dolichodoridae)	CN	R <sup>337</sup>	Yes	No	Lin (1992)
<i>Tylenchus</i> sp. (Tylenchidae)	CN	R	Yes	No	CASI (1994)
<i>Xiphinema americanum</i> Cobb (Xiphinematidae)	CN, US	R	No	No	CABI (2007)
<i>Xiphinema brevicolle</i> Lordello & DaCosta (Xiphinematidae)	CN, US	R <sup>330</sup>	No	No	CASI (1994); Handoo (2007); Lan (1993)

<sup>1</sup>Distribution: CN = China, HI = Hawaii, US = continental United States

<sup>2</sup>Plant Part: F = Fruit; I = Inflorescence; L = Leaf; R = Root; S = Stem; Sd = Seed

<sup>3</sup>Organisms listed at the level of genus, although regarded as quarantine pests because of their uncertain identity, are not considered for further analysis as their identity is not defined clearly enough to ensure that the risk assessment is performed on a distinct organism (IPPC, 2004).

<sup>4</sup>Species is reported to be a stored-product pest (Hughes, 1961), and is considered unlikely to be associated with apple fruit in the field.

<sup>5</sup>Feeding sites typical of species of *Aculops* (e.g., Jeppson *et al.*, 1975; Oldfield, 1996; Westphal & Manson, 1996).

<sup>6</sup>Pest may attack developing fruit (Easterbrook, 1996), but is considered unlikely to be associated with mature fruit at harvest.

<sup>7</sup>Feeding site typical of species of *Calepitrimerus* (e.g., Keifer *et al.*, 1982; Easterbrook, 1996; Royalty & Perring, 1996).

<sup>8</sup>Feeding sites typical of species of *Tarsonemus* (e.g., Jeppson *et al.*, 1975; Hill, 1983, 1987).

<sup>9</sup>Feeding sites typical of species of *Tenuipalpus* (e.g., Jeppson *et al.*, 1975; Hill, 1983).

<sup>10</sup>Feeding sites typical of species of *Bryobia* spp. (e.g., Jeppson *et al.*, 1975; Hill, 1987).

<sup>11</sup>Feeding sites typical of species of *Eotetranychus* (e.g., Jeppson *et al.*, 1975).

<sup>12</sup>Feeding site typical of *Tetranychus* spp. (e.g., Jeppson *et al.*, 1975).

<sup>13</sup>Primarily a stored-product pest (Aitken, 1975), associated with dry plant materials (Gorham, 1987), and considered unlikely to be associated with apple fruit in the field.

<sup>14</sup>Plant part typically attacked by species of *Poecilonoa* (e.g., Baker, 1972).

<sup>15</sup>Plant part typically attacked by species of *Cerambycidae* (Gressitt, 1951).

<sup>16</sup>Plant part typically attacked by species of *Anoplophora* (e.g., Lingafelter & Hoebeke, 2002).

<sup>17</sup>Pest is under official control (7 CFR §301.51).

<sup>18</sup>Plant part typically attacked by species of *Obreia* (e.g., Baker, 1972; Hill, 1983, 1987; Wermelinger *et al.*, 2002).

<sup>19</sup>Plant part typically attacked by species of *Ayiotrechus* (e.g., Baker, 1972; Hill, 1983).

<sup>20</sup>Feeding site typical of species of *Chrysomelidae* (e.g., Baker, 1972; Metcalf & Metcalf, 1993).

<sup>21</sup>Plant part typically attacked by species of *Cassida* (e.g., Hill, 1987).

<sup>22</sup>Plant part typically attacked by species of *Crioceris* (e.g., Hill, 1983, 1987).

<sup>23</sup>Plant part typically attacked by species of *Dactylispa* (e.g., Hill, 1983).

<sup>24</sup>Adults, which are moderately large (8-10 mm; HNNW, 2006) insects, may feed on fruits (Nair, 1975), but are considered unlikely to remain with fruit through harvest and post-harvest processing.

<sup>25</sup>Plant part typically attacked by species of *Pachybrachis* (e.g., LeSage, 1985).

<sup>26</sup>Plant part typically attacked by species of *Paropsides* (e.g., *P. soriculata* [Swartz]; Yan, 1994).

<sup>27</sup>Plant parts typically attacked by species of *Phyllobrotica* (e.g., Farrell & Mitter, 1990).

<sup>28</sup>Plant part typically attacked by species of *Plagioderia* (e.g., Baker, 1972; Hill, 1983).

<sup>29</sup>Plant part typically attacked by species of *Platycorynus* (e.g., Mondal *et al.*, 2004).

<sup>30</sup>Plant part typically attacked by species of *Pyrrhalta* (e.g., Mattson *et al.*, 1994).

<sup>31</sup>Plant part typically attacked by species of *Cassida* (e.g., Hill, 1987).

<sup>32</sup>Plant part typically attacked by species of *Adesmus* (e.g., *A. lorgmeien* Bondar; Bondar, 1938).

<sup>33</sup>Adults feed occasionally on young fruit (CABI, 2007), but are considered unlikely to be present on mature fruit at harvest.

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- <sup>34</sup>Plant part typically attacked by species of *Blosyrus* (e.g., Máyné, 1914, 1917; Nair, 1975; Hill, 1983).
- <sup>35</sup>Plant part typically attacked by species of *Byctiscus* (e.g., Kono, 1929; Daanje, 1975).
- <sup>36</sup>Plant part typically attacked by species of *Calomycterus* (e.g., *C. setarius* Roelofs; Hartzell, 1953).
- <sup>37</sup>Plant part typically attacked by species of *Chlorophanus* (e.g., Maisner, 1969).
- <sup>38</sup>Probably a variant spelling of *Coenorhinus*, species of which occur in China (Hua, 2002) and are known to attack apple (e.g., *C. aequatus* L.; Lazarevic, 1963).
- <sup>39</sup>Plant parts reported to be attacked by *Coenorhinus* spp. (e.g., Bous, 1959; Lazarevic, 1963; Szalay-Marzsó, 1963).
- <sup>40</sup>Adults, which are moderately large beetles (body length: 6.2-6.4 mm, width: 3.2-3.3 mm; Han, 2002), may feed on apple fruit (You, 2004), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>41</sup>Plant parts reported to be attacked by species of Curculioninae, the subfamily, to which species of *Ergania* belong (Anderson, 2002).
- <sup>42</sup>Plant parts reported to be attacked by species of *Mylocerus* (e.g., Hill, 1983, 1987).
- <sup>43</sup>Plant parts reported to be attacked by species of *Involvulus* (e.g., Hu, 2000; Zhang *et al.*, 2003).
- <sup>44</sup>Plant part reported to be attacked by species of *Leptomias* (e.g., *L. bimaculatus* Faust; Karpova, 1945).
- <sup>45</sup>Plant parts reported to be attacked by species of *Lixus* (e.g., Hill, 1987).
- <sup>46</sup>Plant parts reported to be attacked by species of Molytinae, the subfamily, to which species of *Peribleptus* belong (Anderson, 2002).
- <sup>47</sup>Plant part typically attacked by species of *Phyllobius* (e.g., Hill, 1983, 1987).
- <sup>48</sup>Plant part reported to be attacked by species of *Platymycteropsis* (e.g., *P. mandarinus* Fairmaire; CFN, 2006).
- <sup>49</sup>Plant parts reported to be attacked by species of *Rhynchites* (e.g., Hill, 1987).
- <sup>50</sup>Adults may graze superficially on fruit (High, 2008). Attack also causes premature fruit fall (GARES, 2006). Pest is considered unlikely to be present in or on mature fruit at harvest.
- <sup>51</sup>Damage to the fruit stalk following oviposition results in premature fruit fall (Muramatsu, 1925; Katsumata, 1934; Tseng & Ho, 1937). Pest is considered unlikely to be present in mature fruit at harvest.
- <sup>52</sup>Damage to fruit by adults is reported to be superficial and concentrated mainly next to the stalk (Avidov & Harpaz, 1969). Pest is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>53</sup>Species is primarily a stored-product pest (e.g., Anderson, 2002), larvae developing only in cereal grains (Avidov & Harpaz, 1969). Although adults are reported to damage apple fruit (Reis-Filho *et al.*, 1989), they are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>54</sup>Plant part typically attacked by species of Cyphicerini, the tribe, to which *S. freyi* belongs (e.g., Anderson, 2002).
- <sup>55</sup>Adults may attack young fruit (e.g., Hung, 1966; Shi, 2005), but are considered unlikely to be present on mature fruit at harvest.
- <sup>56</sup>Plant parts typically attacked by species of *Tanymericus* (e.g., Nair, 1975; Hill, 1983, 1987).
- <sup>57</sup>Plant parts reported to be attacked by species of *Xylmophorus* (e.g., *X. mongolicus* [Faust]; CGRIS, 2002b).
- <sup>58</sup>Plant part reported to be attacked by species of *Lacon* (e.g., Hill, 1983, 1987).
- <sup>59</sup>Plant part reported to be attacked by species of *Melanotus* (e.g., *M. tamsuiensis* Bates; Hill, 1983).
- <sup>60</sup>Plant part typically attacked by species of *Lucanus* (e.g., *L. elaphus* F.; Baker, 1972).
- <sup>61</sup>Plant parts typically attacked by species of *Mylabris* (e.g., Hill, 1983, 1987).
- <sup>62</sup>Pest attacks injured or fermenting fruit (Avidov & Harpaz, 1969), and is considered unlikely to be associated with fruit of marketable quality.
- <sup>63</sup>Pest generally infests overripe or rotting fruit, rarely attacking intact fruit (CABI, 2007). It therefore is considered unlikely to be associated with fruit of marketable quality.
- <sup>64</sup>Apple plant parts typically attacked by species of *Anomala* (e.g., Hill, 1983, 1987).
- <sup>65</sup>Adults may feed externally on developing fruit (Hill, 1987), but are considered unlikely to be present on mature fruit at harvest.
- <sup>66</sup>Plant part typically attacked by species of *Apogonia* (e.g., Hill, 1983).
- <sup>67</sup>Apple plant parts typically attacked by species of *Brahmina* (e.g., Hill, 1983).
- <sup>68</sup>Adults may damage developing apple fruit (Hill, 1983), but are considered unlikely to be present on mature fruit at harvest.
- <sup>69</sup>Although adults may damage apple fruit (Nair, 1975), these beetles are considered primarily coprophagous (e.g., Holloway *et al.*, 1992). They are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>70</sup>Feeding sites typical of species of Rutelinae (e.g., Hill, 1987; Ratcliffe *et al.*, 2002), the subfamily, to which the species belongs.

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- <sup>71</sup>Plant part typically damaged by species of *Epicometis* (e.g., Avidov & Harpaz, 1969; Nair, 1975).
- <sup>72</sup>Plant part typically attacked by species of *Hilyotrogus* (e.g., *H. holosericeus* [Redtenbacher]; Chowdhuri & Verma, 1979).
- <sup>73</sup>Apple plant parts reported to be attacked by species of *Holotrichia* (e.g., Hill, 1987).
- <sup>74</sup>Feeding sites typical of species of Melolonthinae (e.g., Hill, 1987; Ratcliffe *et al.*, 2002), the subfamily, to which the species belongs.
- <sup>75</sup>Feeding sites typical of species of *Melolontha* (e.g., Hill, 1987).
- <sup>76</sup>Plant parts reported to be attacked by species of *Mimela* (e.g., Nair, 1975; Hill, 1987).
- <sup>77</sup>Probably a misspelling of *Mimela parva* Lin, which occurs in China (Hua, 2002).
- <sup>78</sup>Adults may feed on developing fruit (High, 2008), but are considered unlikely to be present on mature fruit at harvest or to remain with fruit through harvest and post-harvest processing.
- <sup>79</sup>Adults are said to feed on ripe apple fruit (High, 2008), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>80</sup>Plant part reported to be attacked by species of *Polyphylla* (e.g., *P. fulva* L.; Hill, 1987).
- <sup>81</sup>Pest is under official control (7 CFR §301.48).
- <sup>82</sup>Adults, moderately large beetles (8.5-15.9 mm in length; Metcalf & Metcalf, 1993), may feed on the surface of ripe fruit (Hill, 1987; Metcalf & Metcalf, 1993), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>83</sup>Adults may feed superficially on apple fruit (DAFF, 2009), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>84</sup>Adults may feed on soft, over-ripe fruit (Hill, 1987), but are considered unlikely to be present on fruit of marketable quality.
- <sup>85</sup>Plant parts typically attacked by species of Cetoniinae (e.g., Hill, 1987), the subfamily, to which the species belongs.
- <sup>86</sup>Adults may feed on fruits damaged by other pests (Plotnikov, 1914), but are considered unlikely to be associated with fruit of marketable quality.
- <sup>87</sup>Plant part typically attacked by species of *Rhizotrogus* (e.g., Hill, 1983; Gantner & Kot, 2003).
- <sup>88</sup>Pest feeds externally on fruit (Nair, 1975), but is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>89</sup>Adults are reported to feed on sap (e.g., Kawabe, 2006e).
- <sup>90</sup>Apple plant parts typically attacked by species of *Serica* (e.g., Hill, 1987).
- <sup>91</sup>Feeding site typical of species of *Trichius* (e.g., Dubois, 1918; Molodtsov, 1995; Martin & Pedersen, 2002).
- <sup>92</sup>Adults are large beetles (length: 42-79 mm; Bedford, 1974), and are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>93</sup>Plant part typically attacked by species of *Cryphalus* (= *Taenioglyptes*; e.g., Baker, 1972).
- <sup>94</sup>Plant part typically attacked by species of *Xyleborus* (e.g., Hill, 1987).
- <sup>95</sup>All species of *Hylastes* breed in the phloem of stumps and roots of host plants (Anderson, 2002).
- <sup>96</sup>Record from the USDA-APHIS, PPQ Port Information Network (PIN 309) database.
- <sup>97</sup>Hosts are restricted to Pinaceae (CABI, 2007). The small number of interceptions on apple fruit (PIN 309) are anomalies.
- <sup>98</sup>Plant parts reported to be attacked by species of *Cerogria* and other Lagriinae (e.g., Nair, 1975; Aalbu *et al.*, 2002).
- <sup>99</sup>Although there is a report of *Cerogria nepalensis* damaging apple fruits (Nair, 1975), injury probably is superficial, as Lagriinae typically are found externally on host plants (Aalbu *et al.*, 2002). There is no available evidence to suggest that *C. popularis* is associated with fruit.
- <sup>100</sup>Plant part typically attacked by species of *Gonocephalum* (e.g., Hill, 1983).
- <sup>101</sup>Adults are moderately large (length: 15-20 mm; Triplehorn & Johnson, 2005), externally feeding (Metcalf & Metcalf, 1993) insects, and are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>102</sup>Species breeds in overripe or decaying fruit (Hardy, 1965), and is considered unlikely to infest fruit of marketable quality.
- <sup>103</sup>Species apparently is restricted mainly to hosts in Solanaceae and Cucurbitaceae (Liquido *et al.*, 1994). Apple probably represents an aberrant host association (White & Elson-Harris, 1992).
- <sup>104</sup>Feeding site reported for species of *Acanthosoma* (e.g., *A. haemorrhoidale* [L.]; Soerum, 1977).
- <sup>105</sup>At a length of 14-18 mm (Kawabe, 2009a), this externally feeding insect is considered unlikely to remain with fruit through harvest and post-harvest processing.

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- <sup>106</sup> Adults are moderately large (12-14 mm in length; Kawabe, 2009f), externally feeding insects (Kudo, 2001), and are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>107</sup> Species of *Riptortus* reportedly are not usually transported with plants or plant products (CABI, 2007); *R. clavatus*, a moderately large, externally feeding insect (adult length: 14-17 mm; CABI, 2007), is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>108</sup> Although adults and nymphs of *R. pedestris* may suck sap from apple fruit (DAFF, 2009), individuals are active insects (Tabuchi *et al.*, 2007), and considered unlikely to remain with fruit through harvest and post-harvest processing. Also, hosts are predominantly legumes (Fabaceae) (CABI, 2007), suggesting that feeding on apple fruit is incidental and rare.
- <sup>109</sup> Pest is largely restricted to hosts within Poaceae (grasses) (Miller, 1931; Ito, 1989), although it also is recorded on Fabaceae, Polygonaceae, and Cyperaceae (Mitchell, 2000). Apple appears to be an incidental host.
- <sup>110</sup> Pest appears to be restricted largely to herbaceous hosts (Mitchell, 2000), particularly *Oryza sativa* (rice) (e.g., Ferreira *et al.*, 2001). Apple appears to be an incidental host.
- <sup>111</sup> Plant parts reportedly fed upon by species of *Geocoris* (Crocker & Whitcomb, 1980; Sweet, 2000b).
- <sup>112</sup> Species is primarily a predator (e.g., Saito *et al.*, 2005), and is considered unlikely to be associated commonly with apple fruit.
- <sup>113</sup> Species is primarily a seed-feeder and most likely restricted to hosts in Malvales (Malvaceae, Sterculiaceae, and Tiliaceae), occasionally feeding on fruit of Rosaceae and other families, probably as a source of water (Sweet, 2000a). Apple is not considered to be a true host.
- <sup>114</sup> Pest is an active insect (Wheeler, 2001), and considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>115</sup> Plant part typically attacked by species of *Sejanus* (e.g., *S. albispinus* [Knight]; Wheeler, 2000b).
- <sup>116</sup> Developing fruit may be attacked (Hill, 1983, 1987). Pest is considered unlikely to be associated with mature fruit at harvest.
- <sup>117</sup> Pest is an active insect (Xu, 1993), and considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>118</sup> Developing fruit may be attacked (Hill, 1987). Pest is considered unlikely to be associated with mature fruit at harvest.
- <sup>119</sup> Plant parts reported to be attacked by species of *Lygus* (e.g., Hill, 1987).
- <sup>120</sup> Whereas developing apple fruit may be attacked by species of *Lygus* (Hill, 1987), these insects are considered unlikely to be associated with mature fruit at harvest.
- <sup>121</sup> Species appears to be restricted to non-rosaceous hosts (Rider, 2009), and is considered unlikely to be associated commonly with apple.
- <sup>122</sup> Plant part reported to be attacked by species of *Dalpada* (e.g., *D. eremica* Hoberlandt; Beccari & Fenili, 1960).
- <sup>123</sup> Pest is a moderately large insect (length: 13-15 mm) that lives externally on trees (Ghauri, 1978). It is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>124</sup> Species appears to be restricted to hosts in Moraceae (Rider, 2009), and is considered unlikely to be associated commonly with apple.
- <sup>125</sup> Pest is an external feeder (Pamizzi *et al.*, 2000b) that is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>126</sup> Pest is a large insect (adult length: 20-25 mm; Memon, 2002) that may feed on developing fruit (Song & Wang, 1993; High, 2008). It is considered unlikely to be associated with mature fruit at harvest or to remain with fruit through harvest or post-harvest processing.
- <sup>127</sup> Plant parts reported to be attacked by species of *Tessaratomia* (e.g., Nguyen, 1935; Nair, 1975; CABI, 2007).
- <sup>128</sup> Pest is an external feeder (Chen & Gu, 2000), and considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>129</sup> Species is a moderately large (adult length: 14-17 mm; Kawabe, 2009c), externally-feeding insect, and is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>130</sup> Species is a moderately large (adult length  $\approx$  17 mm), externally-feeding insect (Hamilton & Shearer, 2003), and is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>131</sup> Adults may attack young, developing fruit (Yu *et al.*, 2002), but are considered unlikely to be present on mature fruit at harvest.
- <sup>132</sup> Species is an active, moderately large (adult length: 12-14 mm; Kawabe, 2009d), externally feeding insect, and is considered unlikely to remain with fruit through harvest and processing.
- <sup>133</sup> Sites typically frequented by phytophagous Pentatomidae (Miller, 1971).

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- <sup>134</sup>Adults may feed on young, developing fruit (Li *et al.*, 2001), but are considered unlikely to be present on mature fruit at harvest.
- <sup>135</sup>Pest is a moderately large (length: 15-18 mm), externally feeding insect (Hill, 1987) that is not considered likely to remain with fruit through harvest and post-harvest processing.
- <sup>136</sup>Pest is a moderately large (length: 12-16 mm; Doosan Corporation, 2009g), externally feeding insect (Panizzi *et al.*, 2000b) that is not considered likely to remain with fruit through harvest and post-harvest processing.
- <sup>137</sup>Pest is an external feeder (Schuhmacher, 1918) that is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>138</sup>Pest is a moderately large (length: 11 mm; Kawabe, 2009h), externally feeding insect that is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>139</sup>Pest is an external feeder (Bagnée, 2003), and is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>140</sup>Pest is a large (length: 20-23 mm; Hill, 1983), externally feeding insect that is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>141</sup>Feeding site typical of species of *Rhynchocoris* (e.g., Hill, 1983).
- <sup>142</sup>Species of *Rhynchocoris* are external feeders (Hill, 1983), and considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>143</sup>Plant parts reported to be attacked by species of *Stenozygum* (e.g., Froggatt, 1919; Avidov & Harpaz, 1969).
- <sup>144</sup>As are all other species of Pentatominae (McPherson & McPherson, 2000), this pest is an external feeder, and is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>145</sup>Pest may attack young, developing fruit (Baidu, 2004), but is considered unlikely to be associated with mature fruit at harvest.
- <sup>146</sup>Feeding causes premature fruit drop (Tseng & Ho, 1937). Pest is considered unlikely to be present on mature fruit at harvest.
- <sup>147</sup>Plant parts reported to be attacked by species of *Megacopta* (e.g., Tayutivutikul & Yano, 1990; Thippeswamy & Rajagopal, 2005).
- <sup>148</sup>Pest is an external feeder (Schaefer & Kotulski, 2000), and is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>149</sup>Species is a common pest of rice (e.g., Sweet, 2000a; Ferreira *et al.*, 2001) and other grains and vegetables (Rizvi & Ahmad, 2004). There is no evidence available to suggest that it is common on apple.
- <sup>150</sup>Plant part reported to be attacked by species of *Leptotypha* (e.g., Neal & Schaefer, 2000).
- <sup>151</sup>Plant part typically attacked by species of *Stephanitis* (e.g., Avidov & Harpaz, 1969; Hill, 1983).
- <sup>152</sup>Pest attacks newly formed fruits (CABI, 2007), and is considered unlikely to be present on mature fruit at harvest.
- <sup>153</sup>Feeding site typical of species of *Langisigma* (Blackman & Eastop, 2000).
- <sup>154</sup>Feeding site typical of species of *Aphrophora* (Ball, 1901).
- <sup>155</sup>Feeding site typical of species of Cerococcidae (USDA, 2007b).
- <sup>156</sup>Feeding site typical of species of *Aphrodes* (e.g., Hill, 1987).
- <sup>157</sup>Feeding site typical of species of *Bothrogonia* (e.g., Hill, 1983).
- <sup>158</sup>Feeding site typical of Cicadellidae (e.g., Hill, 1987).
- <sup>159</sup>Feeding site typical of species of *Empoasca* (e.g., Hill, 1987).
- <sup>160</sup>Feeding site typical of species of *Jassus* (e.g., *J. lanio* [L.]; Gotsmy & Schopf, 1992).
- <sup>161</sup>Hosts are predominantly species of Poaceae (CABI, 2007). A dearth of information on other hosts suggests that feeding on apple fruit is rare.
- <sup>162</sup>Feeding site typical of species of *Penthimia* (Schabel, 2006).
- <sup>163</sup>Feeding sites typical of species of *Petaloccephala* (e.g., *P. nigrilinea*; Chatterjee, 1934).
- <sup>164</sup>Feeding site typical of species of *Tettigoniella* (e.g., *T. ferruginea* (F.); Hill, 1983).
- <sup>165</sup>Feeding site typical of species of *Zyginella* (e.g., *Z. mali* [Yang]; Li, 1988).
- <sup>166</sup>Plant part reported to be attacked by species of *Cryptotympana* (e.g., *C. facialis* [Walker]; Moriyama & Numata, 2006).
- <sup>167</sup>Adults, which are large insects (32-35 mm; Hirai, 2004), may feed externally on fruit (Aizu *et al.*, 1984), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>168</sup>Plant parts typically attacked by species of Cicadidae (Triplehorn & Johnson, 2005).
- <sup>169</sup>Feeding site typical of species of *Platypleura* (e.g., Hayashi, 1974).
- <sup>170</sup>Feeding sites typical of species of *Andes* (e.g., *A. marmoratus* [Uhler]; Tanaka, 2004).
- <sup>171</sup>Feeding site typical of species of *Ceroplastes* (e.g., Hill, 1987).

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- <sup>172</sup> A search of comprehensive sources (e.g., Ben-Dov *et al.*, 2010) yielded no evidence to indicate that this is a valid species.
- <sup>173</sup> Given as *E.alconi* Chen in CASI (1994).
- <sup>174</sup> Feeding sites typical of species of *Eulecanium* (Hill, 1987).
- <sup>175</sup> Feeding sites reported for species of *Rhodococcus* (e.g., *R. sariuoni* Borchsenius; CNAK, 2009).
- <sup>176</sup> Feeding site typical of species of *Parlatoresopsis* (e.g., *P. chinensis* [Marlatt]; Ferris, 1942).
- <sup>177</sup> Feeding sites reported for *Parlatoria* spp. (Kosztarab, 1996).
- <sup>178</sup> Feeding sites typical of species of *Dictyophara* (Hill, 1983; Lessio & Alma, 2008).
- <sup>179</sup> Feeding site typical of species of Lecanodiaspididae (USDA, 2007a).
- <sup>180</sup> Feeding sites typical of species of *Drasicha* (Hill, 1987).
- <sup>181</sup> Feeding site typical of species of *Leptobelus* (Stegmann & Linsenmair, 2002).
- <sup>182</sup> Apparently a misidentification of *Leptobelus decurvatus* Fairmaire, which is the correct name (Funkhouser, 1927).
- <sup>183</sup> Feeding site typical of species of *Leptobelus* and *Leptocentrus* ((Stegmann & Linsenmair, 2002).
- <sup>184</sup> Feeding site typical of species of *Machaerotypus* (e.g., *M. sibiricus* [Lethierry]; Tsukiji, 2009a).
- <sup>185</sup> Site of injury caused by Membracidae attacking apple (Metcalf & Metcalf, 1993).
- <sup>186</sup> Feeding site typical of species of Psyllidae (Hill, 1983).
- <sup>187</sup> Feeding sites typical of species of *Ricania* (Hill, 1983).
- <sup>188</sup> Larvae may bore into young, developing fruit, causing premature fruit drop (Harukawa, 1924). The pest is considered unlikely to be present on mature fruit at harvest.
- <sup>189</sup> Feeding site typical of species of *Priophorus* (e.g., *P. acericaulis* MacGillivray, *P. tener* Zaddach, Britton, 1912; Valentine, 1970).
- <sup>190</sup> As they tend to be large, active, flight-capable insects (Spradbery, 1973), vespids adults are considered unlikely to follow the import pathway on apple fruit imported from China.
- <sup>191</sup> Adults may feed superficially on apple fruit (High, 2008), but, as large, active, flight-capable insects (Spradbery, 1973), vespids are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>192</sup> Late-instar larvae may feed on the young fruit of apple (Drees & Schwitulla, 1957), but are considered unlikely to be present on mature fruit at harvest.
- <sup>193</sup> Feeding site typical of species of *Asura* (e.g., *A. dharmia* Moore, *A. conferta* Wlk.; Tanaka, 1929; Gowda *et al.*, 1974).
- <sup>194</sup> Feeding site typical of species of *Cyana* (e.g., *C. bianca* [Walker]; Kumar & Ahmad, 2001).
- <sup>195</sup> Feeding site typical of species of *Spilosoma* (e.g., *S. subcarnea* Walker, *S. rhodophila* Walker; Yokoyama & Kurosawa, 1933; Singh & Srivastava, 2004).
- <sup>196</sup> Feeding sites reported for species of *Argyresthia* (e.g., Hill, 1987; Metcalf & Metcalf, 1993).
- <sup>197</sup> Feeding site typical of species of *Carposina* (e.g., *C. fernaldiana* Busck.; Haseman, 1930).
- <sup>198</sup> Larvae may bore into developing apple fruit (Slingerland & Crosby, 1914), but are considered unlikely to occur in mature fruit at harvest.
- <sup>199</sup> Feeding site typical of species of *Catopta* (e.g., *C. thrips* [Hübner]; Mazzei *et al.*, 2009).
- <sup>200</sup> Plant parts typically attacked by species of *Holcocerus* (e.g., *H. hippophaecolus* Hua & Chou; Zong *et al.*, 2006; Luo *et al.*, 2007).
- <sup>201</sup> Plant part typically attacked by species of *Xyleutes* (Hill, 1983).
- <sup>202</sup> Feeding site typical of species of *Evippe* (e.g., Bullock & Kretschmer, 1982; van Klinken *et al.*, 2003).
- <sup>203</sup> Apparently misnamed *O. maliorella* Meyrick (Hua, 2005).
- <sup>204</sup> Feeding site typical of species of *Alsophila* (Hill, 1987).
- <sup>205</sup> Feeding site typical of species of *Apocheima* (e.g., *A. pilosaria* [Denis & Schiffermüller], *A. cinerarius* Erschoff; Bergelson & Lawton, 1988; Hu *et al.*, 2001).
- <sup>206</sup> Given as *Biston robustus* Butler by Hua (2005).
- <sup>207</sup> Feeding site typical of species of *Biston* (e.g., *B. regalis* Moore, *B. suppressaria* [Guenée]; Ahmed *et al.*, 1981; Hill, 1983).
- <sup>208</sup> Feeding site typical of species of *Boarmia* (e.g., *B. histortata* Goeze, *B. rhomboidaria* Schiffermüller; Dieter-Steigra, 1978; Lobinger, 2007).
- <sup>209</sup> Feeding site typical of species of *Chihuahua* (e.g., *C. zao* Yang; Baidu, 2009a).
- <sup>210</sup> Feeding site typical of species of Geometridae (Furniss & Carolin, 1977).
- <sup>211</sup> Feeding site typical of species of *Erannis* (e.g., *E. tiliaria* [Harris], *E. Vancouverensis* Hulst; Furniss & Carolin, 1977).

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- <sup>212</sup> A search of comprehensive sources (e.g., Scoble, 1999a) yielded no evidence to indicate that this is a valid species.
- <sup>213</sup> Feeding site typical of species of *Larerrannis* (e.g., *L. miracula* [Prout]; Tsukiji, 2008d).
- <sup>214</sup> Feeding site typical of species of *Thalassodes* (e.g., Varadarasan, 1986; Leksawadi *et al.*, 2003).
- <sup>215</sup> Larvae may feed on developing fruit, causing premature fruit drop (Holliday, 1977), but are considered unlikely to be present on mature fruit at harvest.
- <sup>216</sup> Given as *Pylarge steganioides* Butler by Shiraki (1952b).
- <sup>217</sup> Species apparently is restricted to North America (CABI, 2007).
- <sup>218</sup> Site of injury caused by species of *Phassus* (e.g., *P. nodus* Chu & Wang, *P. actinidiae* Yang & Wang; Zhao *et al.*, 1988; Lin *et al.*, 1995).
- <sup>219</sup> Feeding site typical of species of *Gastropacha* (e.g., *G. pardale* Walker; Masarrat *et al.*, 2006).
- <sup>220</sup> Feeding site typical of species of *Malacosoma* (Furniss & Carolin, 1977).
- <sup>221</sup> Feeding site typical of species of Lasiocampidae (Furniss & Carolin, 1977).
- <sup>222</sup> Feeding site typical of species of *Belippa* (e.g., *B. cyanopasta* Hampson; Robinson *et al.*, 2001).
- <sup>223</sup> Feeding site typical of species of *Iragoides* (e.g., *I. conjuncta* [Walker]; Zhang *et al.*, 1981).
- <sup>224</sup> Feeding site typical of species of *Miresa* (Robinson *et al.*, 2001).
- <sup>225</sup> Feeding site typical of species of *Narosoides* (e.g., *N. flavidorsalis* [Staudinger]; *N. fuscicostalis* [Friksen]; Baidu, 2009a; NIFTS, 2009b).
- <sup>226</sup> Feeding site typical of species of *Parasa* (Robinson *et al.*, 2001).
- <sup>227</sup> Feeding site typical of species of *Thosea* (Robinson *et al.*, 2001).
- <sup>228</sup> Given as *Celastrina argiola* (L.) by Hua (2005).
- <sup>229</sup> Larvae may feed superficially on developing fruit (e.g., Hukkinen, 1926; Corver, 2005), but are considered unlikely to be present on mature fruit at harvest.
- <sup>230</sup> Larvae may feed superficially on developing fruit (NIFTS, 2009d), but are considered unlikely to be present on mature fruit at harvest.
- <sup>231</sup> Larvae may feed superficially on developing fruit (Singh & Bhardwaj, 1983), but are considered unlikely to be present on mature fruit at harvest.
- <sup>232</sup> Given as *Satyrium grande* (Felder & Felder) by Hua (2005).
- <sup>233</sup> Feeding sites typical of species of *Satyrium* (e.g., Opler *et al.*, 2009).
- <sup>234</sup> Feeding site typical of species of *Arctornis* (Robinson *et al.*, 2009).
- <sup>235</sup> Feeding site typical of species of *Cifuna* (e.g., *C. locuples* Walker; Robinson *et al.*, 2009).
- <sup>236</sup> Feeding site typical of species of *Dasychira* (Robinson *et al.*, 2001).
- <sup>237</sup> Feeding sites typical of species of *Euproctis* (Robinson *et al.*, 2001).
- <sup>238</sup> Pest is primarily a leaf-feeder (Venkatesha *et al.*, 1992).
- <sup>239</sup> Pest is primarily a leaf-feeder (Bhardwaj, 1987).
- <sup>240</sup> Pest is under official control (7 CFR §301.45).
- <sup>241</sup> Larvae may graze superficially on fruit (High, 2008), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>242</sup> Feeding site typical of species of *Acrionicta* (Robinson *et al.*, 2001).
- <sup>243</sup> Feeding sites typical of species of *Actinofia* (e.g., *A. polyodon* [Clerck]; Tillyard, 1927).
- <sup>244</sup> Only the adult attacks fruit (Lee *et al.*, 1970). These large, active moths feed at night (Jeppson, 1989), and are considered unlikely to be associated with fruit at harvest.
- <sup>245</sup> Only the adult attacks fruit (Choi *et al.*, 2000). These large, active moths feed at night (Jeppson, 1989), and are considered unlikely to be associated with fruit at harvest.
- <sup>246</sup> Only the adult attacks fruit (Robinson *et al.*, 2001). These large, active moths feed at night (Jeppson, 1989), and are considered unlikely to be associated with fruit at harvest.
- <sup>247</sup> Feeding site typical of species of Catocalinae, the subfamily to which the species belongs (Wagner, 2005).
- <sup>248</sup> Only the adult attacks fruit (Zhang, 1994). These large, active moths feed at night (Jeppson, 1989), and are considered unlikely to be associated with fruit at harvest.
- <sup>249</sup> Feeding site typical of species of *Catocala* (Baker, 1972).
- <sup>250</sup> Only the adult attacks fruit (Yoon & Lee, 1974). These large, active moths feed at night (Jeppson, 1989), and are considered unlikely to be associated with fruit at harvest.
- <sup>251</sup> Feeding site typical of species of *Dysgonia* (Robinson *et al.*, 2009).
- <sup>252</sup> Feeding site typical of species of *Earias* (Robinson *et al.*, 2009).
- <sup>253</sup> Only the adult of species of *Ercheia* attacks fruit (e.g., Susainathan, 1924; Box, 1941). These large, active moths feed at night (Jeppson, 1989), and are considered unlikely to be associated with fruit at harvest.

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- <sup>254</sup>Larvae may feed on opening flower buds (Lucke *et al.*, 1981), but are considered unlikely to be present on mature fruit at harvest.
- <sup>255</sup>Larvae may feed on developing fruit (Barnes, 1978), but are considered unlikely to be present on mature fruit at harvest.
- <sup>256</sup>Feeding site typical of species of *Hypena* (Robinson *et al.*, 2001).
- <sup>257</sup>Feeding site typical of species of *Hypopyra* (e.g., *H. pudens* Walker; Robinson *et al.*, 2009).
- <sup>258</sup>Larvae may feed superficially on fallen or harvested fruit (Tremblay, 1969), but are considered unlikely to remain with fruit through post-harvest processing.
- <sup>259</sup>Apparently an invalid name. The species does not appear in Poole (1989b) or other similar catalogs.
- <sup>260</sup>Feeding site typical of species of *Mocis* (Robinson *et al.*, 2001).
- <sup>261</sup>Feeding site typical of species of *Naenia* (Robinson *et al.*, 2001).
- <sup>262</sup>Feeding site reported for species of *Nola* (e.g., *N. cucullatella* [L.]) on *Malus* sp. (Robinson *et al.*, 2009).
- <sup>263</sup>Larvae may attack developing fruit (Carter, 1984), but are considered unlikely to be present on mature fruit at harvest.
- <sup>264</sup>Feeding site reported for species of *Plusiodonta* (e.g., *P. coelonota* [Kollar]; Robinson *et al.*, 2001).
- <sup>265</sup>Feeding site reported for species of *Spirama* (Robinson *et al.*, 2009).
- <sup>266</sup>Feeding site typical of species of *Synoides* (Robinson *et al.*, 2009).
- <sup>267</sup>Feeding site typical of species of *Trachea* (e.g., *T. delicata* [Grote]; McCabe, 2003).
- <sup>268</sup>Species does not occur in the Far East (Kononenko, 1988). The record in CASI (1994) apparently is erroneous.
- <sup>269</sup>Larvae may feed on the surface of developing fruit (Hill, 1983), but are considered unlikely to be present on mature fruit at harvest.
- <sup>270</sup>Feeding site typical of species of *Depressaria* (Robinson *et al.*, 2009).
- <sup>271</sup>Larvae apparently feed superficially on the surface of fruits (Anonymous, 2008d), and are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>272</sup>Species appears primarily to be a leaf-feeder (e.g., Smol'yannikov, 1979).
- <sup>273</sup>Feeding site typical of species of *Amatissa* (e.g., *A. consorta* [Templeton]; Das, 1956).
- <sup>274</sup>Probably a misspelling of *M. hockingi* Moore (Hampson, 1892).
- <sup>275</sup>Feeding site typical of species of *Mahasena* (Robinson *et al.*, 2001).
- <sup>276</sup>Feeding sites typical of species of Psychidae, such as *P. aurea* (Anonymous, 2007).
- <sup>277</sup>Larvae may feed externally on developing fruit (Anonymous, 2007), but are considered unlikely to be associated with mature fruit at harvest.
- <sup>278</sup>Species is a stored-product pest (CABI, 2007), and unlikely to be associated with fresh fruit for export.
- <sup>279</sup>The name *Dioryctria rubrizonella* apparently is an illegitimate synonym of *Nephopteryx rubrizonella* Ragonot. There is no evidence from available sources to suggest that it is a valid species.
- <sup>280</sup>Feeding sites typical of species of *Eurhodopa* (e.g., *E. advenella* [Zincken]; Plaksina & Prokof'ev, 1976).
- <sup>281</sup>Feeding site reported for species of *Heterocrasa* (Yunus & Ho, 1980).
- <sup>282</sup>Feeding site typical of species of *Hypsogygia* (Robinson *et al.*, 2009).
- <sup>283</sup>Feeding site typical of species of *Actias* (Robinson *et al.*, 2009).
- <sup>284</sup>Feeding site typical of species of *Cricula* (Robinson *et al.*, 2009).
- <sup>285</sup>Feeding site typical of species of *Smerinthus* (e.g., *S. ocellatus* [L.]; Murata, 1927).
- <sup>286</sup>Feeding site typical of species of *Habrosyne* (e.g., *H. scripta* [Gosse]; USDI, 2006).
- <sup>287</sup>Larvae occasionally may feed superficially on fruit (Meijerman & Ulenberg, 2004), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>288</sup>Feeding site typical of species of *Acleris* (Meijerman & Ulenberg, 2004).
- <sup>289</sup>Larvae may feed on developing fruit, causing premature fruit drop (Liu, 1958), but are considered unlikely to be present on mature fruit at harvest.
- <sup>290</sup>Larvae may feed superficially on fruit (Hill, 1983), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>291</sup>Larvae may feed on developing fruit, causing premature fruit drop (Meijerman & Ulenberg, 2004), but are considered unlikely to be present on mature fruit at harvest.
- <sup>292</sup>Larvae may feed on young, developing fruit (Maier, 2003), but are considered unlikely to be present on mature fruit at harvest.
- <sup>293</sup>Larvae may feed superficially on developing fruit (Dicker, 1962), but are considered unlikely to be present on mature fruit at harvest.
- <sup>294</sup>Larvae feed superficially on fruit (Parry & Pawar, 1988), but are considered unlikely to remain with fruit through harvest and post-harvest processing.



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- <sup>295</sup> Larvae may feed superficially on fruit (Weires & Riedl, 1991), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>296</sup> Larvae may feed on damaged fruitlets (Bhagat *et al.*, 1994), but are considered unlikely to be present on mature fruit at harvest.
- <sup>297</sup> Larvae feed on young, developing fruit (Byun *et al.*, 2003), but are considered unlikely to be present on mature fruit at harvest.
- <sup>298</sup> Larvae may graze superficially on fruit (Meijerman & Ulenberg, 2004), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>299</sup> Feeding site typical of species of *Clepsis* (e.g., *C. consimilana* [Hübner], *C. senecionana* [Hübner]; Meijerman & Ulenberg, 2004).
- <sup>300</sup> Larvae may feed in young fruit (FES, 2009e), but are considered unlikely to be present in mature fruit at harvest.
- <sup>301</sup> Feeding site typical of species of *Homona* (Robinson *et al.*, 2001).
- <sup>302</sup> Synonymized by Hua (2005) with *Isodemis inae* (Diakonoff), which, apparently, is not a valid species (Brown, 2005).
- <sup>303</sup> No available information besides AQIS (1998) suggests that this species feeds on apple. Hosts are primarily legumes (Fabaceae), particularly *Glycine max* (Robinson *et al.*, 2001; Meijerman & Ulenberg, 2004; Hua, 2005).
- <sup>304</sup> Larvae may feed on young, developing fruit (Meijerman & Ulenberg, 2004), but are considered unlikely to be present on mature fruit at harvest.
- <sup>305</sup> Feeding site typical of species of *Pandemis* (Robinson *et al.*, 2001).
- <sup>306</sup> Larvae occasionally attack newly set fruitlets (Meijerman & Ulenberg, 2004), but are considered unlikely to be present on mature fruit at harvest.
- <sup>307</sup> Probably a synonym of *Arcesis threnodes* (Meyrick). *Statherotis threnodes* apparently is not a valid species (Brown, 2005).
- <sup>308</sup> Larvae may feed superficially on mature fruit, producing extensive damage (Meijerman & Ulenberg, 2004), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>309</sup> Damage to fruit probably is incidental. On apple, larvae feed primarily on leaf and flower buds (Bhardwaj & Bhardwaj, 1983).
- <sup>310</sup> Feeding site typical of species of *Chorthippus* (e.g., Bernays & Chapman, 1970).
- <sup>311</sup> Feeding site typical of species of *Oxya* (e.g., Hill, 1983; Adria *et al.*, 1990).
- <sup>312</sup> Species is reported to feed superficially on fruit, but is considered unlikely to remain with fruit through harvest and post-harvest processing (DAFF, 2009).
- <sup>313</sup> Pest may feed superficially on fruit (Tseng & Ho, 1937), but is considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>314</sup> Plant parts typically attacked by species of *Oecanthus* (Metcalf & Metcalf, 1993).
- <sup>315</sup> Adults may eat holes in ripe fruit (Metcalf & Metcalf, 1993), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>316</sup> Species of Tettigoniidae may feed externally on fruit (e.g., Wason, 1946), but are considered unlikely to remain with fruit through harvest and post-harvest processing.
- <sup>317</sup> Species of *Staelonchodes* (e.g., *S. nigropunctatus* [Kirby]) have been placed in the genus *Lonchodes* (Brock, 2000), which is considered a synonym of *Phraortes* (e.g., Hua, 2000).
- <sup>318</sup> Feeding site typical of Phasmatodea (Metcalf & Metcalf, 1993; Triplehorn & Johnson, 2005).
- <sup>319</sup> Apparently an invalid taxon. The species is not listed in Mound's (2005) world checklist of Thysanoptera or in similar available sources. This is possibly a misspelling of *Thrips flavidulus*, listed in Hua (2000).
- <sup>320</sup> Probably a misspelling of apple russet ring (EPPO, 1998). No information on apple rust ring virus is available.
- <sup>321</sup> Infection sites typical of species of *Alternaria* (Horst, 2001).
- <sup>322</sup> Probably an invalid taxon. There is no listing of *A. solani* f.sp. *mali* in the comprehensive databases of Farr *et al.* (2006) and Kirk (2008). The morphological, physiological, and pathogenic variability of the species has resulted in the naming of several races, based on highly variable and unreliable characters, such as spore size (Rotem, 1994). According to this latter author, identification of races has largely been abandoned in recent years, and their existence remains uncertain.
- <sup>323</sup> Infection sites typical of species of *Cytospora* (Horst, 2001).
- <sup>324</sup> Infection apparently is limited to young fruit (Willetts & Harada, 1984; CASI, 1994). The pathogen is considered unlikely to be associated with mature fruit of marketable grade.
- <sup>325</sup> Infection sites typical of species of *Oidium* (Horst, 2001).
- <sup>326</sup> Infection sites typical of species of *Phyllosticta* (Horst, 2001).
- <sup>327</sup> Apple is an experimental host only (Farr *et al.*, 2006).

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- <sup>328</sup>Infection sites typical of species of *Puccinia* (Horst, 2001).  
<sup>329</sup>Infection site typical of species of *Trimmatostroma* (Hawksworth & Cole, 2002).  
<sup>330</sup>Recorded from the rhizosphere of apple (Lan, 1993), and presumably associated with roots.  
<sup>331</sup>Plant part typically infested by species of *Aphelenchoides* (e.g., Nickle & Hooper, 1991).  
<sup>332</sup>Recorded from the rhizosphere of hosts (Vovlas, 1988), and presumably associated with roots.  
<sup>333</sup>Plant part typically infested by species of *Longidorus* (e.g., Esnard & Zuckerman, 1998).  
<sup>334</sup>Recorded from the rhizosphere of apple (Islam *et al.*, 1996), and presumably associated with roots.  
<sup>335</sup>Found in apple orchards (Vovlas & Li, 1988), and presumably associated with roots.  
<sup>336</sup>Recorded from the rhizosphere of apple (Zheng *et al.*, 2004), and presumably associated with roots.  
<sup>337</sup>Recorded from the rhizosphere of apple (Lin, 1992), and presumably associated with roots.

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Prepared by T.W. Culliney, USDA-APHIS, PPQ, CPHST, PERAL, December 21, 2009; revised October 12, 2010.

DRAFT

d) The procedures that ensure the full scientific consideration of additional pests in China's apple production process, should they be discovered;

Response: If additional apple pests are discovered in China subsequent to finalization of the pest list, the newly identified pests would be addressed through the pest risk evaluation process. Mutually agreed-upon mitigation factors will be identified. During the pest risk evaluation process, APHIS will determine or confirm these mitigation factors.

e) A copy of APHIS' enforcement work plan;

Response: The enforcement, or operational, plan, is put into place as one of the final steps before actual importation can occur. This plan essentially is an outline of the mutually agreed-upon procedures and is only developed after the pest risk assessment is complete and a final rule has been published. APHIS is at a very early stage of this process. APHIS does not anticipate the creation of an operational plan for quite some time as there are many other steps that must first be completed.

f) A detailed summary of previous pest problems including problems related to Ya pears and wooden handicrafts and the steps APHIS took to combat the pests;

Response: On December 19, 2003, APHIS suspended the import of Ya pears from China due to the discovery of a fungal infection. Ya pears were banned from sale, distribution, and import into the United States and recalled from store shelves. APHIS renegotiated the conditions for importation of Ya pears with China, requiring additional mitigation factors and documentation. Importation of Ya pears did not resume until February 21, 2006, when it was determined that China had strengthened its phytosanitary measures. Since these changes were made, few problems have occurred and the program is running smoothly.

In 2005, APHIS suspended the importation of certain Chinese wooden handicrafts due to pest interception concerns. As was the case with Ya pears, APHIS required additional mitigation factors and documentation, and verified that China had met these conditions. On April 9, 2009, APHIS issued a proposed rule to re-authorize importation of suspended Chinese-origin wood handicrafts. Based on comments received in response to this proposal, APHIS issued a second proposed rule on September 20, 2010. APHIS is currently evaluating comments received in response to the second proposed rule.

g) A summary of the problems encountered by Mexico and Canada related to fresh Chinese apples, the steps APHIS took when it learned of those problems, and an analysis of whether they raise concerns about the prospect of importing fresh Chinese apples in to the U.S.;

Response: Mexican officials cite no pest or disease issues with the import of Chinese apples since an agreement was reached between the two countries in January 2005. However, Chinese apple imports into Mexico have been negligible (only a few containers per year) since that time.

Canada initially approved fresh Chinese apple imports from two provinces (Shaanxi and Shandong) in January 2004. After a pest was detected in February 2004, Canada suspended imports and Chinese producers implemented a quality management system to mitigate risks at origin. Canadian officials reviewed the proposed system and performed an onsite audit in September 2004. In October 2004, Canada lifted the suspension and implemented a two-year trial period with 100 percent inspection of apples. There were no noncompliances during the two-year trial period.

In September 2010, following an onsite audit by Canadian officials, Canada approved Chinese apples from the provinces of Hebei and Shanxi (please note that Shanxi and Shaanxi are two distinct provinces) subject to a two-year trial period. Apples from these provinces have not been suspended, as of February 10, 2011. Canadian officials also audited apples from the Chinese province of Liaoning in September 2010 but did not approve them due to pest management concerns.

The pest interceptions by Canadian officials in February 2004, mentioned above, required no action by APHIS. The interceptions occurred shortly after Canadian officials approved the imports and contained them. APHIS considers any potential threat to American agriculture to be of concern; however, APHIS does not view Canadian officials' history with fresh Chinese apple imports to be problematic.

h) Information regarding the timeline and substance of other negotiations that preceded the importation of fresh produce from China or other countries, and;

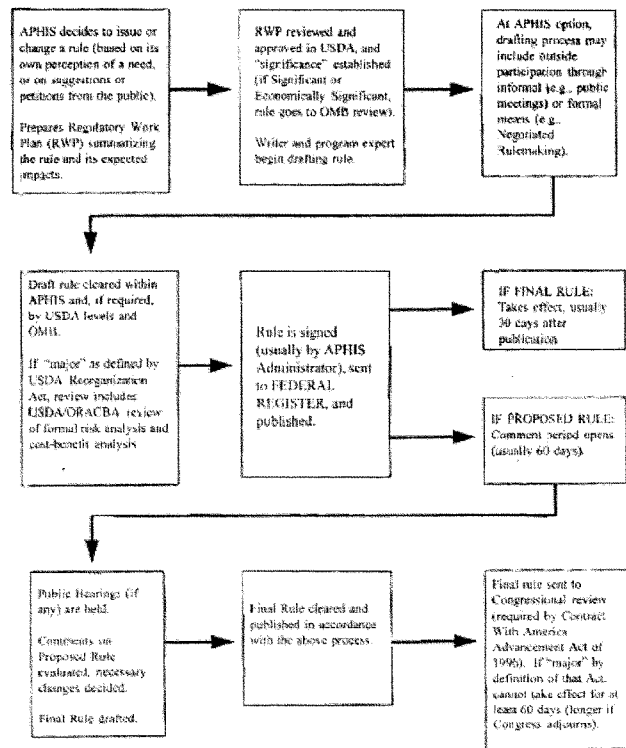
Response: APHIS routinely engages in a similar process for import access requests from U.S. trading partners around the globe. There is a standard process, which is outlined below in response to the next question; however, the timeframe and particulars always vary and are unique to both the commodity in question and the conditions and risks present in the exporting country. Ya pears and wooden handicrafts show an example of the types of issues that may arise and be negotiated between USDA and the exporting country.

The flow chart of the rule development and clearance process is attached for the record.

[The information follows:]



### Rule Development and Clearance Process



- i) An estimate of the resources and steps required to complete the risk assessment and mitigation plans for importation of fresh Chinese apples into the U.S.

Response: The steps required to allow Chinese apples into the United States follow the standard process for approval of any new foreign agricultural commodity. Many of these steps require site visits to the exporting country. In general, they are:

1. Finalize a mutually agreed-upon pest list.
2. Conduct a Pest Risk Assessment, a scientific and management analysis utilizing many branches of APHIS.
3. Identify mitigations for the risks discovered by pest risk assessment.
4. Develop regulatory work plan.
5. Publish proposed rule and solicit public comment.
6. Evaluate public comments.
7. If warranted, publish final rule and solicit public comment.
8. Evaluate public comments.
9. Negotiate operational work plan with China.

This is an open and transparent process, with ample opportunity for stakeholder and public comment. The specific steps in this case depend upon the response, if any, received from China in regard to particular concerns.

With regard to resources necessary to complete the process APHIS cannot accurately determine the resources that would be solely devoted to these specific imports at this early stage of discussions with China. Contingent upon discussions that unfold over the next several years, the required resources will be made available as part of APHIS' overall budget evaluation and response to global import access requests. Such resources are continually re-allocated based on requests from U.S. trading partners.

#### WILDLIFE SERVICES

Mr. Farr: Regarding the Wildlife Services program of the Animal and Plant Health Inspection Service, can you explain how the USDA tracks funding and expenditures in the program? Why are there two computer data base systems that are reportedly incompatible? What can USDA do to increase transparency and public accountability of the agency's use of federal tax dollars?

Response: APHIS maintains Wildlife Services' financial and operational records within two distinct systems, the Foundation Financial Information System and APHIS Cost Management System (financial), and the Wildlife Services' Management Information System (operational). These systems serve two separate and distinct purposes. The financial system is an Agency-level system that meets the financial reporting and tracking of the Federal government. The financial system records data on expenditures by broad budgetary object codes used across the Agency, such as salary and benefits, travel, project supplies / equipment, etc. The operational database is a program-level system that meets operational reporting and tracking requirements. We maintain information regarding the techniques APHIS uses while conducting wildlife damage management within the operational database.

Every year, we manually link expenditures and operational activities (protection of natural resources, protection of agriculture, protection of human health and safety, protection of property). Reports regarding our programmatic expenditures and activities at this level are provided to the public through the APHIS website.

Mr. Farr: Approximately one-half of Wildlife Services funds come what the agency call "cooperators". Please identify these cooperators by name, state and county of residence. Please indicate which are private individuals and which are corporations. Please provide a breakdown of Wildlife Services' FY 2009 expenditure of tax dollars by source of funds (i.e., federal, state, county, municipal).

Response: In FY 2010, APHIS provided assistance related to 8,947 cooperator-owned properties and collected approximately \$62.3 million for services provided. This includes approximately \$21.3 million from other Federal agencies such as the Department of Defense (DoD) for airport safety activities (DoD airports are not part of the cooperator owned properties). The balance of the reimbursements is for services such as non-Federal airport safety, wildlife control methods development, and wildlife management activities. The non-Federal reimbursements include State, County, or local government funding, as well as funding from individual property owners. In some cases, those private landowners may have originally paid for services through local or State governments. Because cooperator funding can be a combination of taxpayer or private funding, we do not track the funding separately.

Mr. Farr: USDA and Wildlife Services' research efforts are to be congratulated, much of which is directed at new methods that are both more selective and humane than those used in the past. However, it is widely known that there is a disconnect between methods research and field operations, in that more progressive and humane approaches developed by the research arm are not embraced or utilized by field personnel in a meaningful way. As a result, on-the-ground operations continue to rely on trapping, poisoning, denning, aerial gunning and other methods that raise public concern as well as questions of safety, efficacy, species conservation, and humaneness. Can you explain what USDA is doing to ensure that research methods developed by one branch of Wildlife Services are employed by the other?

Response: APHIS' Wildlife Services (WS) National Wildlife Research Center (NWRC) works with WS operations staff to provide Federal leadership and expertise to resolve human-wildlife conflicts related to agriculture, human health and safety (including wildlife diseases and aviation), invasive species, and threatened and endangered species. In FY 2010, approximately 75 percent of NWRC's funding was spent to develop or improve non-lethal wildlife damage management tools and methods. Many of the non-lethal methods used today by Federal (including Wildlife Services' operational programs), State, and private sector wildlife professionals stem from research conducted at or

through the NWRC. An example of this is the development of electrified and standard fladry for protecting livestock from wolves.

In FY 2010, NWRC collaborated with WS operational programs in 31 States. WS continued efforts to engage WS research and operational programs include: incorporating the State Directors of operational programs in the development of new methods; transferring methods to the private sector thereby making methods/products readily available and part of the wildlife damage management culture; engaging WS operational program staff to solicit research needs; performing economic studies on the extent and nature of certain wildlife damage, and effectiveness of various methods in resolving the damage; and increasing the internal communications to inform WS operational staff of the various methods available.

Mr. Farr: How can USDA increase financial incentives for livestock producers to use non-lethal methods, which, unlike sporadic lethal control, provide long-term protection to livestock?

Response: While APHIS does not have the authority to provide direct financial incentives for livestock producers to use non-lethal methods, by doing the early research and development for such methods, they are ultimately more affordable for livestock producers. APHIS continues to research and develop non-lethal methods that the Agency makes available to both government and the public.

Mr. Farr: Could USDA provide a breakdown of the amount of money spent in FY 2009 by the research arm of Wildlife Services on each method being studied during that fiscal year?

Response: In recent years, APHIS' Wildlife National Wildlife Research Center (NWRC) has had 200 to 220 active studies with each typically lasting from one to five years. These studies take place over multiple years, and the activities within each study can vary from year to year. In FY 2009, NWRC obligated approximately \$3.4 million in direct support for the development of methods for mitigating damage caused by wildlife (blackbird damage, and predation to livestock) and \$5.1 million in direct support for developing methods of wildlife control (control of prion diseases, prevention of disease spread). The remaining NWRC funding was used for activities other than methods development, including evaluating the economics of Wildlife Services activities.

Mr. Farr: Please rank the primary lethal control methods used by Wildlife Services (trapping, aerial gunning, M-44 cyanide devices, denning, calling and shooting) according to operational costs per animal killed.

Response: APHIS may use an array of lethal and non-lethal methods to address conflicts with wildlife. We do not classify the particular method used in reporting costs through the accounting system, but rather the types of costs such as personnel, travel, contracts, and supplies.

Mr. Farr: How much federal money was spent to protect livestock from predators using lethal control methods? What about nonlethal methods?

Response: APHIS may use an array of lethal and non-lethal methods to address conflicts with wildlife. We do not classify the particular method used in reporting costs through the accounting system, but rather the types of costs such as personnel, travel, contracts, and supplies. In any specific protection action, the methods may begin with non-lethal methods and move to lethal methods only when the initial efforts prove unsuccessful. Accordingly, we do not capture financial data that clearly differentiates between the methods used.

Mr. Farr: Can USDA provide a breakdown of expenditures under the "Natural Resources" portion of the Wildlife Services FY 2009 budget? In particular, how much was spent during that year protecting threatened and endangered species, and how much was spent protecting game species from predators?

Response: APHIS' Wildlife Services (WS) partners with Federal and State agencies, municipalities, organizations, and private landowners to protect natural resources including, rare species, native wildlife, and ecosystems. In FY 2009, APHIS spent \$4.166 million protecting "Natural Resources." In addition, WS work contributed to the conservation of 148 threatened and endangered species in 34 States, totaling \$9.886 million. This work included birds (47 species), plants (46), mammals (26), reptiles (9), fish (9), mollusk (5), insects (2), and amphibians (4).

At this time, we are unable to provide specific information on how much was spent protecting game species from predators. Currently, operational costs are not traced down to that level of detail because the definition of game species varies among States.

Mr. Farr: How many properties does USDA provide services on and how many ranchers does the agency have agreements with?

Response: APHIS provided assistance to 8,947 cooperator-owned properties in FY 2010. We do not classify the cooperators by any specific term; while we do provide services to ranchers, we do not have data on how many cooperators are ranchers as opposed to some other type of producer, government entity, or others.

Mr. Farr: What percentage of the animals killed for livestock protection are killed on public versus private lands?

Response: In many cases, APHIS may protect livestock on both public (e.g. grazing leased) and private land for a single cooperator. We do not keep specific records on the ownership of the land where activities occur.

## QUESTIONS SUBMITTED BY MS. DELAURO

## INTERIM RULE FOR IMPORTATION OF POULTRY

Ms. DeLauro: On January 24, 2011, APHIS published an interim rule in the *Federal Register* that changed APHIS policy on the importation of poultry products from countries that have experienced outbreaks of avian influenza. It was because of APHIS' concerns with the avian influenza outbreaks in the People's Republic of China that limited the scope of the FSIS rule published April 24, 2006 to permit the importation of processed poultry products only if the source of the raw poultry came from either the U.S. or Canada. The APHIS interim rule now permits certain countries that have experienced outbreaks of avian influenza in their poultry flocks to export poultry products to the U.S. under certain conditions. Can you explain why USDA has changed its position from the one taken in 2006?

Response: The interim rule strengthens USDA's ability to protect against the introduction of a highly pathogenic avian influenza (HPAI) virus and does not expand imports of poultry. APHIS regulations previously allowed exceptions such as science and research products as well as processed (cooked, cured, etc.) carcasses, parts of products of carcasses, and eggs (other than hatching eggs) to enter under an import permit ensuring mitigations were met to prevent incursions of HPAI subtype H5N1. APHIS regulations also allowed processed "products and byproducts of poultry, game birds, or other birds" to be imported under similar import permits. Under both the previous and current regulations, processing the products prevents the incursion of HPAI subtype H5N1 into the United States.

The interim rule is not a reversal of previous policy, as these commodities have been allowed. The rule sets sufficient cooking requirements to ensure that the viruses that cause these diseases are inactivated in cooked poultry meat and other products. The difference is that under the interim rule, the exporting country can now certify to those mitigations as part of the export certification statements that were previously required by the import permit, thereby removing the need for an import permit.

All imports of meat and poultry products intended for human consumption are regulated jointly by APHIS and the Food Safety and Inspection Service (FSIS). All edible meat and poultry products must come from countries whose inspection system is deemed by FSIS to be equivalent to the United States. That way, we rely on the government to certify products, the same way we expect imported countries to trust the U.S. system for our exports. In this case, it's the poultry slaughter and processing system that must be equivalent.

China and Israel are good examples of how this system works. APHIS lists both China and Israel as having H5N1 HPAI, and both have been evaluated by FSIS. APHIS has allowed (with an import permit) the importation of cooked turkey meat from Israel because Israel's system has been deemed equivalent by FSIS to export processed poultry to the United States. APHIS requires that the poultry be cooked. China is currently suspended by FSIS, so this rule will not alter China's ability to export, and their cooked poultry products cannot enter the United States.

Under previous regulations, the mitigations applied only to the H5N1 subtype of HPAI. With the interim rule, they will apply to all subtypes of HPAI.

The rule is based on research by experts in poultry diseases from USDA's Southeast Poultry Research Laboratory – specifically, a paper titled *Thermal Inactivation of H5N1 High Pathogenicity Avian Influenza Virus in Chicken Meat*. This study evaluated a worst-case scenario (poultry meat with high indication of HPAI H5N1) and concluded that cooking to current USDA performance standards for *Salmonella* (165°F/74°C) will also inactivate the HPAI H5N1 virus. APHIS also considered standards set by the World Organization for Animal Health.

It is important to note that this is not a reversal of policy. Countries that were affected by H5N1 HPAI are still on the list. If a country becomes affected by a type of HPAI other than H5N1, we will now be able to restrict imports.

Ms. DeLauro: Given that the interim rule was published immediately after the visit by Chinese President Hu Jintao to Washington, was an understanding reached with China during President Jintao's visit that such a rule would be published?

Response: The timing of the publication of the interim rule and the visit by the Chinese President Hu Jintao was coincidental. As is the case with all of our sanitary and phytosanitary rules, the action is science-based.

#### GENETICALLY ENGINEERED CROPS

Ms. DeLauro: In recent weeks, APHIS has issued decisions to deregulate a number of genetically-engineered crops. There is a great deal of concern about contamination of non-GE crops as a result of those decisions, and about the irreparable harm that occurs across the landscape when genetic contamination occurs. USDA has acknowledged that these concerns are valid and has announced steps to develop the science to find ways to prevent such contamination.

Has USDA given any thought to developing science to prevent contamination before the organisms of concern are released into the environment, instead of doing so after the fact?

Response: Recognizing that the conventional, organic, and genetically-engineered agricultural sectors all operate continuously, APHIS makes the determination to grant non-regulated status to genetically-engineered (GE) crops based on whether they pose a plant pest risk. However, to promote the ability of all farmers to grow the type of crop of their choosing, Secretary Vilsack recently announced a range of initiatives that include:

- Reestablishing two important USDA advisory committees - Advisory Committee on Biotechnology and 21st Century Agriculture (AC21), and the National Genetic Resources Advisory Committee. These two committees will tackle a broad range of issues, from ensuring the availability of high quality seed, to helping ensure that growers have access to the best tools available to support their production choices, to whether risk management and indemnification options can play a role;

- Conducting research into areas such as ensuring the genetic integrity, production and preservation of alfalfa seeds entrusted to the germplasm system;
- Refining and extending current models of gene flow in alfalfa;
- Requesting proposals through the Small Business Innovation Research program to improve handling of forage seeds and detection of transgenes in alfalfa seeds and hay; and,
- Providing voluntary, third-party audits and verification of industry-led stewardship initiatives.

In March 2011, USDA published a *Federal Register* Notice requesting nominations for members of the AC21 Advisory Committee. USDA is also taking steps to safeguard the long-term quality of alfalfa seed stored in USDA germplasm banks and will assess the feasibility of producing high quality alfalfa seed in a pilot study this summer. USDA's Agricultural Research Service scientists are also forming research teams to test alfalfa gene flow models that consider biological and environmental factors beyond separation by geographical distance.

Additionally, the Small Business Innovation Research (SBIR) program under USDA's National Institute for Food and Agriculture (NIFA) will issue a call for proposals in June 2011 for (a) improved detection of transgenes in alfalfa seeds and hay; and (b) improving handling of forage seeds, from seed production to marketing. NIFA also added a priority research area to the Biotechnology Risk Assessment Grants (BRAG) Program Request for Applications to focus on research regarding pollen flow in GE alfalfa and its coexistence with non-GE crops. The priority will also focus on the development of risk assessment strategies for the coexistence of GE alfalfa with other non-GE crops.

Ms. DeLauro: What steps are being taken to prevent GE contamination, and what your timeline is for implementing those actions?

Response: As a regulatory agency, APHIS takes steps to prevent the unauthorized release of regulated GE material. APHIS imposes confinement measures for field trials of regulated GE organisms to safeguard against the unintended release of GE materials into the environment and also limit gene flow. Additional safeguards can include surveying for local wild relatives; removing plant reproductive structures (detasseling); cleaning equipment; and bagging flowers to contain pollen. APHIS also conducts thorough inspections of field trials to ensure that biotechnology organizations are adhering to APHIS regulations and permit conditions. Once APHIS has granted nonregulated status, the GE organisms do not fall under our Agency's regulatory purview and can be moved and planted freely in the United States.

The potential domestic market impact and disruption of trade due to GE crop gene flow to conventional and organic crops has prompted the USDA to place a high priority on appropriate coexistence policies and practices. Specifically within APHIS' scope of activities, APHIS has requested funding in the FY 2012 budget to begin a multi-year gene flow status and trends monitoring program. This program will develop information about the extent, scale, and measurement of gene flow in major agricultural regions in the United States.



## NATIONAL ORGANIC PROGRAM

Ms. DeLauro: Recently, products were imported into the U.S. from China that were fraudulently certified as organic. In 2008, a televised news report exposed that imported organic ginger from China was contaminated with the pesticide aldicarb, which forced Whole Foods to remove that product from its shelves. In February 2011, AMS uncovered a plot by a Chinese organic marketing operation that fraudulently certified soybeans, millet and buckwheat as being organic when they were not. What steps are being taken by AMS to strengthen its oversight of organic certifiers both domestically and globally to protect the integrity of the National Organic Program?

Response: In order to protect the integrity of the organic label, AMS monitors foreign standards recognition agreements with foreign countries and reviews certification activities of both foreign and domestic certifying agents. During fiscal year 2010, the National Organic Program (NOP) conducted compliance assessments in Canada, Egypt, Israel, Denmark, Ghana, and China to evaluate the ability of these countries to oversee organic operations that are compliant with current NOP regulations. AMS auditors also conducted routine audits of accredited certification agents in Argentina, Italy, Germany, Bolivia, and Mexico to ensure continued compliance with NOP regulations.

AMS published the NOP Program Handbook on September 1, 2010. The first edition of the Handbook includes guidance on compost, certification, recordkeeping, and many other topics. The second edition, published on January 31, 2011, includes guidance on evaluating materials used in organic systems, flavors, and many other topics. This handbook provides guidance for accredited certifying agents, state organic programs, organic producers and handlers so that organic standards are consistently implemented.

To further verify organic labeling in 2011, USDA is considering a new residue testing program for all NOP certified products, including foreign produced organic products, to help identify potential non-compliances before products reach U.S. store shelves.

In order to strengthen oversight of organic certifiers and to protect the integrity of the NOP label, AMS is requesting an increase of \$2.9 million in FY 2012 to increase surveillance of foreign accredited certifying agents; investigate the volume of complaints and violations (both domestic and foreign); educate certifying agents worldwide to ensure the organic regulations are consistently applied; and respond to requests for international equivalency agreements.

By providing clear guidance to the organic industry, developing a residue testing program, and working with our international partners, this will allow AMS to effectively monitor and communicate information, requirements, and expectations of producers of certified organic food sold the in the United States.

## ANIMAL IDENTIFICATION

Ms. DeLauro: Funding for the Animal and Plant Health Inspection Service (APHIS) is reduced by \$72 million in the budget request. However, while the budget would eliminate funding for a number of activities, it includes several notable increases, including \$9 million for the animal identification program.

After receiving more than \$145 million for the national animal identification system, the Agency announced a drastic change in both the direction of the program and the details of the program. In light of that announcement, we are now talking about the Animal Disease Traceability program.

Rather than a strong national program, the Agency has instead opted to pursue a fragmented system with negotiable standards that applies only to some animals moving across state lines. And this budget requests more than \$14 million - an increase of nearly \$9 million - for the program.

A strong, national animal identification program is necessary and has tremendous value in ensuring the safety and competitiveness of U.S. industries.

How can we support the Agency's new plan when both its path and destination are so inadequately defined?

Response: While some of the technical specifications remain to be determined, USDA believes that the destination is clear: a system that dramatically accelerates how quickly we and our State and industry colleagues can trace infected animals through the journey they took back to their origin. The new approach will give States and Tribal Nations the flexibility to use methods and systems that best suit the needs of their producers while reaching the ultimate goal.

The approach will be implemented in a transparent manner through the Federal rulemaking process. The rule will propose that, unless specifically exempted, livestock belonging to species covered by this rulemaking that are moved interstate would have to be officially identified and accompanied by an interstate certificate of veterinary inspection or other documentation. The proposed regulations specify approved forms of official identification for each species but would allow the livestock covered under this rulemaking to be moved interstate with another form of identification as agreed upon by animal health officials in the shipping and receiving States or Tribes. The purpose of this rulemaking is to improve our ability to trace livestock in the event that a disease is found.

USDA recognizes that State systems do not need to be identical, only that they are compatible and that they adhere to national requirements. Standards will ensure a uniform and coherent national strategy for traceability. However, USDA understands that the standards must address timeframes for four traceability activities: notifying the State or Tribe, where the animal was identified, of the animal's identification number; confirming the identification number; notifying the ship-from State or Tribe; and determining the ship-from premises.

Ms. DeLauro: How has the agency worked to define outcomes and paths to achieving them to ensure the success of this program? Are we still moving towards a system that enables traceback of any livestock species in 2 days? Will all beef and dairy cattle be included in this program?

Response: USDA has taken a number of steps regarding the new animal traceability system. This includes revamping the advisory committee devoted to animal health and collecting stakeholder input through a variety of means. USDA will use the input from the advisory committee and other stakeholders regarding implementation of priorities to guide spending of funds in FY 2011. With this broad outreach, USDA has addressed the concerns about the previous program (The National Animal Identification System) and, by focusing on interstate movement of animals, each State and Tribal Nation will be able to determine the specific approaches and solutions to meet basic animal disease traceability performance measures based on the needs of their local producers.

USDA is confident that this new program, through its regulatory requirements for official identification and movement documentation of livestock moved interstate, will be successful and that the States and Tribes will be able to achieve future traceability performance standards. The USDA plans should reduce traceability efforts that currently take a number of months down to a matter of weeks.

USDA is working with representatives from all livestock species to develop the new approach for traceability that requires cattle transported interstate meet the traceability standards. The challenges of the cattle industry are far greater than any other species due to extreme diversification across the country, from producers with a few acres and a small number of cattle to the vast western States with extremely large herds that graze on thousands of acres. Cattle ownership and location of an animal can change many times as the animal matures. These characteristics of the cattle industry create real challenges for effective traceability. No one species or single section of the cattle industry will dictate the direction of animal disease traceability. USDA will continue to work collaboratively with the entire agriculture industry.

#### Salmonella in Eggs

Ms. DeLauro: The OIG has initiated an audit of USDA's system for detecting Salmonella in eggs. As you know, inspection of in-shell eggs is the responsibility of FDA, but the Agricultural Marketing Service (AMS) has inspectors at the farm grading eggs.

The OIG looked at FSIS inspections of egg products in 2007 and other than a failure to integrate egg products into the agency's HACCP structure, found no significant deficiencies. For this audit, OIG will focus on AMS and its management of Shell Egg Surveillance Program.

As far as you know, has the audit started and has OIG been in contact with AMS? What does AMS anticipate the inquiry will find?

Response: As a result of the August 2010 egg recall, OIG initiated an audit of AMS controls for handling officially graded and identified shell eggs.

In February, OIG provided AMS with preliminary findings requiring immediate attention. The recommendations were to: 1) Issue a notice to all shell egg producers under contract with AMS for grading services of their requirement to immediately notify AMS grading officials when there is an indication of adulterated shell eggs at their facility; 2) Develop an addendum for all new contracts with shell egg producers that requires production management to immediately notify AMS officials when they become aware of an environmental positive for *Salmonella Enteritidis* (SE) or other contaminants; and, 3) Amend current procedures to require all AMS shell egg graders to identify the location(s) where adulterated eggs were shipped and take appropriate action to ensure that product does not receive the official USDA grademark.

In addition, OIG inquired into various AMS policies and procedures for the voluntary grading program and the mandatory shell egg surveillance program. These include:

- The SE testing criteria of layer houses and records associated with test results and distribution of eggs,
- AMS responsibilities for monitoring temperature compliance, and
- Environmental testing of the packing plant for those plants eligible to ship eggs to Canada.

AMS has already addressed the following OIG preliminary findings: 1) AMS established a number of notification requirements for all official plants and fee grading locations including any contaminated or adulterated product in the processing plant; eggs that have tested positive for SE; or any positive environmental tests for SE; 2) AMS will modify the Application for Service to include all the provisions mentioned; 3) AMS has revised and modified existing procedures in handbooks and guidelines to reflect the new SE provisions for shell eggs identified with the official USDA grade mark.

Ms. DeLauro: **Do you think** the memorandum of understanding between FDA and AMS that sets out each agency's responsibilities needs to be re-examined and improved?

Response: Subsequent to the August 2010 shell egg recall, it was apparent that there were serious communications gaps between AMS, FDA, and other food safety agencies. As a result, the agencies agreed to improve communications as outlined in Secretary Vilsack's letter to HHS's Secretary and FDA's Commissioner.

A new Memorandum of Understanding (MOU) was developed and signed by AMS, FDA, OSHA, and FSIS which clearly outlines each agency's responsibilities for information sharing. Additionally, a detailed list of reportable significant violations is being drafted that will clearly identify issues or observations noted by AMS graders or inspectors that should be reported to FDA. Further, a plan has been developed to train supervisors and graders on inspection activities within a facility, reporting significant observations, and the notification process. AMS will continue to work with FDA to further develop and implement these initiatives.

Ms. DeLauro: What recommendations would AMS make in improving coordination between FDA and AMS on in-shell egg safety?

Response: Implementing the new MOU along with the training and improved communications that FDA has committed to are all part of a major effort for both Agencies to improve coordination.

#### RISK MANAGEMENT AGENCY

Ms. DeLauro: Eliminating duplicative duties would create significant budget savings within USDA, and it would appear that duplication is most evident in crop reporting and production reporting. Currently farmers and ranchers report their planted acreages and production to the Farm Service Agency, Risk Management Agency and National Agricultural Statistics Service and USDA provides administrative funds to all three agencies for this function.

What would be the saving estimate for assigning just one agency to collect acreage and production reports from farmers and ranchers? How much of RMA's funding is applied toward this reporting process?

Response: While there may be some savings associated with having only one agency attempt to collect general information about acreage and production, most of the savings would be for the farmers and ranchers as they would benefit from only having to submit the information once. While there are barriers for that to be a reality, Risk Management Agency and Farm Service Agency are working together to make that happen through two initiatives, the Common Information Management System (CIMS) and the Acreage/Crop Reporting Streamlining Initiative (ARCSI).

CIMS was mandated by Section 10706 of the 2002 Farm Bill. CIMS provides USDA agencies and Approved Insurance Providers, AIPs, efficient and timely access to a single source of RMA policy and FSA producer and acreage information. CIMS allows the data collected under the different programs to be shared across USDA agencies and the AIPs for crop insurance and farm benefits programs such as the ACRE and SURE program. The Acreage Crop Reporting Streamlining initiative, ARCSI, will establish common USDA producer commodity reporting standards to facilitate greater use of CIMS, increase the sharing and reconciliation of data. The ARCSI also offers the potential of producers using data obtained through the use of precision-ag technology and farm management systems for USDA reporting.

While a considerable amount of general farm information is similar in use across various USDA programs, there still remains information unique and required for the crop insurance program. There are very specific types of data that must be collected to establish liability, determine premium and process indemnity payments for losses. AIPs and crop insurance agents have knowledge about insurance principles, concepts and practices to ensure that insurance data is collected correctly and timely to facilitate the various insurance contract transactions. In addition, AIPs have financial incentives to ensure that data is correct because they share the risk not only with the government but also with their private reinsurers. AIPs take information from farmers and translate this data into electronic submissions which RMA processes. As RMA processes this information from the AIPs, it performs significant electronic edit checks associated with its regulatory and program integrity responsibilities, in addition to capturing and storing the data for use in actuarial ratemaking.

The cost of collecting acreage reports is included in what RMA pays currently to AIPs as part of their Administrative and Operating costs to offset their program delivery expenses. RMA does collect, as part of its regulatory activities, some cost information on these expenses however, the expense data collected does not contain the level of detail to be able to accurately estimate the AIPs cost of receiving the acreage and production reports from the producer.

In addition, the timing of indemnity checks is directly related to data received by AIPs. Farmers do not need, and in most cases can't wait until the end of the growing period, to receive their indemnity payments. For example, if a producer has a prevented planting loss they will immediately file an acreage report for such acreage with the AIP to quickly claim an indemnity on such acreage. As another example, if an insured producer has a loss they will want to submit their production data to the AIP immediately after harvest to get an indemnity payment. They will not want to wait until the producer completed harvesting all of his land or until the producer provided the production information to FSA for a production or marketing loan. If the producer did not have a loss, the AIP could use the FSA production data to establish his APH guarantee for the following year provided that information is obtained prior to coverage establishment. However, each program will need the ability to collect unique acreage and production data to timely provide benefits.

Some producers of specialty crops that have crop insurance do not participate in FSA programs and are not part of the FSA benefit or loan programs. These producers have a history and reliance of routinely working with and reporting acreage to their crop insurance agent, and know little of FSA programs.

The major USDA benefit is improved data integrity for developing better programs and reducing the risk of improper payments. The primary benefit is to the producer, who would not have the cost or time of providing the same information multiple times. RMA is already serving as the data source for the SURE program, administered by FSA, since for the major crop programs AIPs capture and report information to RMA on over 80% of the planted acreage. With its proven success in data management evidenced by the successful implementation of the Information Technology Modernization (ITM) program, AIPs and RMA have a well established system and mechanism for efficiently reporting information for all major and specialty crop programs.

Ms. DeLauro: Could RMA incorporate FSA's reports into their work?

Response: Yes. RMA could incorporate much of FSA's reports into RMA's reporting requirements for AIP's and agents, although certain unique crop information would have to be captured or analyzed for the applicable insurance plan or practice chosen by the insured producer. Although RMA, FSA and NASS have various program requirements for the collection and recording of production information, these differences are currently undergoing a streamlining process within USDA with the concept of standardizing as much as is practical. The project - Acreage/Crop Reporting Streamlining Initiative's goal is to simplify and reduce the reporting burden on producers while simultaneously reducing USDA administrative and operating costs by sharing similar data across participating agencies.

The requirements and use of production information to establish benefits vary by program. However, RMA and FSA are already working together on procedures where RMA uses data it has collected and analyzed in the newly implemented Information Technology Modernization (ITM) project as input to the FSA SURE program. Overall, it can be expected that RMA would need to make additional adjustments in reporting requirements to accommodate reporting data that is satisfactory for all three agencies, but overtime, RMA ITM can be expected to accommodate these adjustments.

The ACRSI workgroup is in the process of defining and redesigning individual agency business processes and standardizing reporting requirements that are common across agencies to reduce or mitigate to the extent practical unnecessary differences between agency programs. This will allow data to be collected once and utilized by USDA programs the producer chooses to participate. The workgroup is working on recommendations for production information.

#### GRAIN INSPECTION, PACKERS AND STOCKYARDS ACT

Ms. Delauro: As your testimony reminds us, the work of GIPSA ensures fair-trade practices and financial integrity for competitive markets, and promotes equitable and efficient marketing across the nation and around the world.

What are GIPSA's primary goals and responsibilities when it comes to marketing and producer protections? Would cutting funding for GIPSA make it much more difficult for our domestic producers to market their product? Would reduced funding make it more difficult for domestic producers to seek relief from unfair or illegal practices?

Response: GIPSA's mission is to protect fair trade practices, financial integrity, and competitive markets for livestock, meat, and poultry. A restriction in funding for GIPSA would lead to a lower industry compliance rate with the Packers and Stockyards Act. The result will be a larger number of instances of financial and trade practice violations that are undetected leading ultimately to a corrosive effect on the integrity and competitiveness of the livestock and meat markets.

Ms. Delauro: Over the past several decades, what has happened to the number of producers in the livestock industry? Did most of the leave the industry voluntarily?

Response: Over time, there has been a reduction in the number of livestock operations in the livestock industry. For example, in 1992 there were 1.23 million cattle operations and 248,700 hog operations by 2009 there were 950,500 cattle operations and 71,450 hog operations. This is a 23 percent decline in cattle operations and a 71 percent decline in hog operations. There has been a similar consolidation in the businesses that market livestock. For example, in 1992, there were 1,794 market agencies selling on commission (the typical auction market) and in 2009 the number had declined to 1,225, a 32 percent decline. Many factors contribute to firms exiting the industry; studies have shown a dominating factor is often a lack of profitability, which is seldom voluntary.

## QUESTIONS SUBMITTED BY MR. BISHOP

## FOOD INSPECTION CAPACITY

Mr. Bishop: What is your view of the State role in food inspection, particularly given an expectation of continued budget reductions and where the Federal inspection footprint is largely dependent on the State partners? How can we more effectively support the state inspection process, especially in the area of training assistance to States?

Response: While APHIS does not have a role in food inspection, the Agency does work with States on the health of plants and animals that eventually do enter the food supply. APHIS publishes Federal regulations that allow for safe interstate commerce of agricultural commodities. APHIS works with States to conduct activities that support the enforcement of the Federal regulations, and the States may elect to issue regulations that support intrastate movement of agricultural commodities as well. The Agency provides technical assistance to the States and offers training and coordination of activities within and between State staff to address plant and animal health issues. Where State officials request additional training related to detecting and responding to plant and animal health concerns, APHIS provides the necessary training as resources allow. For example, the Agency has pursued updating its national veterinary accreditation program to provide up-to-date animal health training to veterinarians and implement more stringent requirements to ensure the early detection of animal diseases of concern.

Mr. Bishop: As you know, over the years, Department and the State of Georgia work cooperatively on food inspection activity. Given the fiscally restrained environment we're facing today, there actually may be ways to broaden and expand the cooperative relationship between State inspection activities and Federal. I know the Commissioner of Agriculture for the State has expressed an interest in building on our current relationship with the Federal government.

Any thoughts on where we might be able to build on existing synergies and/or create new ones?

Response: APHIS works closely with the States to conduct activities related to protecting American agriculture. APHIS provides national coordination for pest and disease programs and develops regulations to carry out other activities as outlined in our authorizing legislation. Where feasible, APHIS partners with State officials so that they can either conduct activities on behalf of or in coordination with the Agency, or establish a State program that meets or exceeds the Agency's regulatory requirements. For example, APHIS started a pilot program to train State staff on conducting inspections of field trials for genetically engineered crops. Certain States also issue phytosanitary certifications for agricultural exports, which includes inspecting the commodities for pests and diseases. This coordination of activities and training of staff allows for a more efficient use of resources at the Federal and State levels.



## SAFETY OF IMPORTED FRUITS AND VEGETABLES

Mr. Bishop: The United States Department of Agriculture (USDA) is investigating the possibility of lifting quarantine barriers for 30 different Peruvian products this year, which could include figs, prickly pears, papayas, passion fruit, custard apples and tomatoes.

USDA Undersecretary for Marketing and Regulatory Programs Edward Avalos said requests to lift barriers related to crop and livestock products from Peru's coast.

However, there are reports raising concerns about the expansion of imports from Peru, and in particular whether they will pass USDA and APHIS (Animal and Plant Health Inspection Service) inspections.

Given issues in the past related to the import of tomatoes and other fruit and vegetables, given planned reductions in funding, how are we going to insure the safety of these imports - - especially from countries like Peru, which are planning aggressive export expansion programs?

Response: Peru has requested market access for eighteen commodities (fruits, vegetables, and herbs. APHIS is currently evaluating three of the requests, for Peruvian papayas, peppers, and figs. APHIS uses scientific processes in reviewing requests to import products to the United States to ensure the safe import of agricultural commodities. APHIS reviews a list of pests that may exist in the other country, and then conducts a comprehensive pest risk analysis (PRA) of the commodity. The PRA includes the analysis of pests associated with the commodity and identifies the appropriate mitigations required as a condition of entry. APHIS also consults domestic stakeholders for their input before finalizing the PRA. Once the PRA is completed, and APHIS has determined the product can be imported safely into the United States, APHIS publishes a proposed rule in the *Federal Register* with the conditions of entry and the PRA. The proposed rule includes the opportunity for public comment, and APHIS considers and addresses all the public comments received. APHIS then publishes a final rule (potentially with modifications based on issues raised by public comments) before granting the access to the commodity. Depending on the risk, a work plan outlining the specific conditions such as pest management, field sanitation, cleaning, packing house requirements, and export inspections will be developed with the exporting country before the access is granted. In addition, any treatments required to mitigate the quarantine pests in the country of origin require APHIS oversight. After trade commences, APHIS continues to monitor the commodity and adjust the conditions of entry as necessary.

Mr. Bishop: When there is a salmonella outbreak, what is APHIS's role in conjunction with the CDC and FDA, especially if we believe the source is an imported fruit or vegetable, but really don't know? What can we do to support your Agency, so that "when" another salmonella outbreak occurs, you have the resources you need to fully protect the interests of the U.S. and our citizens?

Response: The USDA Agricultural Marketing Service (AMS) plays the prominent role in salmonella monitoring through its Microbiological Data Program (MDP). The AMS MDP samples and tests for *Salmonella*, as part of its regular monitoring activities. The MDP also maintains a collection of *Salmonella* isolates that has been shared with the Food and Drug Administration (FDA) and the Agricultural Research Service. These isolates

are used to test new analytical methods being developed by these Agencies to ensure that the new methods are capable of detecting several species of *Salmonella*. Methods currently used by most microbiology laboratories were developed to detect *Salmonella* species commonly found in meat and poultry, and are not as effective for the wide range (more than 20 different species) of *Salmonella* species that are found in produce. AMS coordinates MDP planning and policy requirements with the Centers for Disease Control (CDC) and FDA and shares results with those agencies weekly or more often when needed. CDC has used MDP data in its investigation of outbreaks and has requested MDP's help in sampling and testing produce suspected in being the source of outbreaks.

APHIS is a multi-faceted Agency with a broad mission area that includes protecting and promoting U.S. agricultural health, regulating genetically engineered organisms, administering the Animal Welfare Act and carrying out wildlife damage management activities. Unfortunately, APHIS has no interaction with the AMS MDP, FDA, or the CDC.

#### EASTERN LIVESTOCK BANKRUPTCY

Mr. Bishop: Administrator Pegg, throughout the State of Georgia and particularly in South Georgia, stories continue to surface of family-owned farms and other enterprises which have been hit very hard by the Eastern Livestock bankruptcy. We've heard of trucking firms which have lost up to \$200,000; stockyards and marketing agents who marketed cattle in good faith who now face potential losses of \$120,000 to \$600,000. And of course, this may ultimately have its worst financial impact on livestock producers in our State who had ongoing business with Eastern.

I'm sure you're aware of this situation; can you share with us what actions AMS and USDA has taken thus far in assisting those impacted by this situation, and what action or support is planned?

Response: USDA is evaluating options for addressing needs of those affected by the bankruptcy. Thus far in fiscal year 2011, AMS has not received a request for producer support in Georgia.

#### USDA Regulations

Mr. Bishop: The House of Representatives passed a resolution (H. Res. 73) on February 10 requiring the Agriculture Committee and other committees of the House to review federal regulations to determine their impact on jobs and economic growth. The resolution passed by a vote of 255 to 169.

To comply with the order, House Agriculture Committee Chairman Frank Lucas (R-OK) presented an oversight plan that would review the efficiency of U.S. Department of Agriculture regulations that impede the economy. That list includes the price regulations under the Federal Milk Marketing Order (FMMO) system, as well as other programs under USDA's jurisdiction.

The President has also instituted a review of all regulations and their impact on jobs and the economy. What is the status of the Department's review, and can you share with the Subcommittee the process and methodology you're using to evaluate your own Agency's regulations and processes?

Response: The President's Executive Order 13563 outlines a process for retrospective analysis of existing rules. USDA's Deputy Secretary is a member of the Administration's Regulatory Working Group that has been meeting periodically.

As required by the Executive Order issued by the President, USDA will be inviting the public to participate in its regulatory review effort in the coming weeks.

Mr. Bishop: Are you in communications with the EPA regarding regulations under their jurisdiction which have a profound impact on Agriculture?

Response: Yes, USDA attempts to work closely with EPA on matters that affect U.S. agriculture. For example, USDA has been communicating with EPA regarding their Oil Spill Prevention Control and Countermeasure rule (EPA-HQ-OPA-2008-0821). USDA and FDA have jointly provided technical assistance to EPA to help explain existing regulations of the dairy industry that will minimize risks that milk could present to navigable waters and adjacent shorelines.

#### PLANT HEALTH

Mr. Bishop: In your testimony, you mentioned that domestically, APHIS has nearly eradicated the boll weevil, having cleared it from 98 percent of the 16 million acres of U.S. cotton. Also, the budget proposes a "commodity-based" research model for the Agency's future Plant Health activities. How exactly would this functionally work, particularly given the ARS's research activities?

Response: APHIS' mission is to protect the health and value of U.S. agriculture and natural resources from economically significant plant and animal pests and diseases through programs focused on preventing the entry of new pests and diseases, surveillance, and control and eradication of certain pests and diseases. With respect to the proposal to restructure APHIS' budget, APHIS' current line items are tied to specific pests and diseases for the most part. This limits the Agency's ability to address new pest and disease threats as they emerge. The proposal to restructure the budget to align the Agency's resources with the commodities whose health they protect will allow APHIS to take quick action to mitigate new pest and disease threats as they become known. APHIS' mission will not change, and we will continue to cooperate with ARS on priority pests and diseases.

Mr. Bishop: APHIS has traditionally had an emphasis on agricultural diseases caused by a variety of pests, although your mission generally includes research on all diseases. Given the Agency's success in eradicating the boll weevil in cotton, has APHIS's looked at potential cotton research activities in the area of Pigweed and its dreadful impact on cotton, as well as aflatoxin in peanuts, and is this an area where there be more joint cooperation between APHIS and ARS on commodity specific activities?

Response: APHIS conducts methods development projects on diagnostic methods and control tools needed for its operational pest and disease programs, while the Agricultural Research Service's (ARS) mission is to conduct research to develop and transfer solutions on agricultural problems. While we understand your concern about the impact of pigweed and aflatoxin on

cotton and peanut growers, neither falls within APHIS' pest and disease programs. APHIS targets weeds that are new to or not widely distributed in the United States. Pigweed is widespread in the United States and is not regulated as a Federal noxious weed. ARS is actively conducting research to develop control methods for pigweed and address the challenges cotton growers face from Roundup-resistant pigweed on the Coastal Plains region of the Southeastern United States. Aflatoxin is not a disease of peanut plants, but a toxin (produced by a common fungus) that can be found on harvested peanuts due to damage or improper storage. This toxin is regulated as a contaminant in food by the U.S. Food and Drug Administration (FDA), which has set FDA Action Levels for aflatoxin. ARS is also working on ways to address aflatoxin in peanuts.

#### BIOTECHNOLOGY ACTIVITIES

Mr. Bishop: The budget proposes an additional \$12 million for additional staff and other resources for biotechnology activities, to keep up with the dramatic expansion of biotech products in agriculture. Should the Agency face dramatic reductions in both the FY 2011 and 2012 budgets, and, the proposed fee increases to cover biotech activities does not move forward, will you still be able to add additional staff in this area and expand your activities?

Response: If APHIS were to face dramatic reductions in both the FY 2011 and 2012 budgets with no proposed fee increases to cover certain biotechnology regulatory functions - specifically, processing notifications, issuing permits, and evaluating petitions for nonregulated status - we would not be able to add staff. While the proposed new positions requested in the FY 2012 budget would not be created or filled, the Agency would continue to work towards filling all vacant positions as available funds allow.

APHIS has a goal to increase the number of National Environmental Policy Act (NEPA) documents developed. The Agency recently announced a NEPA pilot project that allows for the contracting of outside experts to develop the required environmental documentation with APHIS oversight, and funding provided by the requesting applicant. This pilot program shifts the financial burden for the preparation of environmental documents to petitioners by giving them the option of entering into an agreement with APHIS to prepare an environmental analysis through the use of third party contractors overseen directly by APHIS. Engaging in this pilot project will allow APHIS to produce documents in a timely manner without unnecessarily burdening the taxpayer, since the companies seeking nonregulated status for their genetically engineered product would pay for the service. In all instances regarding environmental documents, APHIS retains final review and decision-making responsibility.

#### KNOW YOUR FARMER, KNOW YOUR FOOD INITIATIVE

Mr. Bishop: I was pleased to see that you're expanding your activities in terms of providing marketing opportunities for small farmers and the communities located near them. Can you tell me approximately how many communities will be impacted by this program, and will those communities be evenly distributed throughout the nation?

Response: The Know Your Farmer, Know Your Food initiative utilizes existing USDA programs to demonstrate our support for farmers, consumers, and

communities engaged in local and regional food systems. Examples include the Wholesale Farmer, and Alternative Market Development Program and several Department Grant Programs which impact communities across the country. Responses to questions 20, 27, 28 and 54 identify specific State and/or project activities.

In general, these programs cover a broad spectrum of USDA's work, including research, nutrition, production, marketing, and rural development. Programmatic support is supplemented by working groups that focus on topics such as facilitating expanded meat processing access for small and mid-size growers, providing a model for local food aggregation and distribution through regional food hubs, and educating stakeholders on legal and financial models and best practices within food systems.

Communities all across the country that want to use local and regional food systems as a driver for economic growth are benefitting from the coordination that the Know Your Farmer, Know Your Food initiative provides. The initiative helps aggregate USDA tools and communicates USDA resources so that communities across the country can better access and leverage our programs.

#### GRAIN INSPECTION, PACKERS AND STOCKYARDS ADMINISTRATION

Mr. Bishop: An increase of \$2.2 million is proposed for GIPSA, which would result in approximately 500 additional inspections and compliance reviews. According to the budget this would increase industry compliance to 84 percent. What would it take in funding and new inspections, to reach 100 percent compliance?

Response: Fiscal year 2007 was the first year that the Packers and Stockyards Program adopted as its performance measure the percentage of industry compliance. Data is available through fiscal year 2010. During this period, compliance has improved from an initial 73 percent to the current level of 80 percent. Within these data ranges the compliance rate improvements came primarily from improved management strategies that increased field agent performance and additional employees in the field.

Costs would increase substantially to reach higher levels of enforcement, as increased presence in the marketplace would require additional employees and mechanisms that would serve as a deterrent, such as penalties and enforcement. Reaching 100 percent compliance would involve rising marginal costs especially since most regulated entities are spread throughout the country, and effective enforcement requires employees to travel to them.

## QUESTIONS SUBMITTED BY MS. KAPTUR

## GIPSA

Ms. Kaptur: The proposed rule is well within the scope of GIPSA's authority granted by the Packers and Stockyards Act and many of the changes were approved in the 2008 Farm Bill. Thirty years ago there were 1.3 million beef cattle operations. Today there are only 740,000. In 1980, there were 660,000 hog farms. Today there are only 67,000. Consolidation in American agriculture is dangerous and deserves the attention of the Department of Agriculture. In the 2008 farm bill, Congress provided USDA with increased authority and expects the Department to ensure that the farmers have rights to engage in fair practices. From the beginning days of GIPSA, your agency has been the voice for the voiceless and stood for fairness in contract agriculture. How many comments has USDA solicited on the proposed rule?

Response: GIPSA received over 60,000 comments on the proposed rule.

Ms. Kaptur: How many public hearings has USDA conducted on the issue?

Response: Many of the concerns addressed in the rule were raised during the dozens of Administration Rural Tour stops attended by Secretary Vilsack last year, and the joint USDA-Department of Justice Competition Workshops held this year. Additionally, GIPSA held three public meetings in 2008 to gather comments, information, and recommendations from interested parties.

Ms. Kaptur: How many months has USDA been coordinating with officials at the Department of Justice on this proposed rule?

Response: GIPSA began coordinating with the Department of Justice on the proposed rule entitled "Implementation of Regulations Required under Title XI of the Food, Conservation and Energy Act of 2008; Conduct in Violation of the Act" in September of 2009.

Ms. Kaptur: USDA will conduct an economic analysis to assuage the fears of packers and processors. However, the economic impact on rural America stemming from the lack of competition in livestock markets and the resulting loss of farmers and ranchers is clear. Has USDA conducted an economic impact on the consequences of inaction?

Response: While the analysis may not be as comprehensive as the question implies, as part of the GIPSA 2008 farm bill rule, the cost-benefit analysis, which the Office of the Chief Economist is preparing, will consider the economic consequences of failing to act.

Ms. Kaptur: Protecting contract and small producers should be a high priority for USDA. Instead of allowing large producers and packers to control the market, GIPSA is doing its job in setting market norms and standard practices for producers. Small agriculture lacks the voice of big ag to manipulate public opinion and stand up for its rights. Could you please outline for the committee some of the experiences of small producers in being manipulated through contract abuse?

Response: The following are real examples from producers:

*[N]umerous growers are not attending these workshops because of being afraid of retaliation on them by their integrator. A grower this*

morning has already been threatened by his service person if he attends and speaks at this forum. All the integrator has to do is make sure that particular grower receives inferior chicks to start a grow out with and maybe short his feed delivery, which can lead to a higher feed conversion rate. This happens, really it does. (\$201.210 would be applicable to this) (Poultry grower, USDA DOJ Workshop, May 21, 2010)

I've spoken to numerous growers about attending this meeting, but most of them were afraid to come for fear of retribution from their poultry company. You have to do as you are told or you could be refused placement of birds or could face a drop in the number of birds places or worse. (Poultry grower, USDA DOJ Workshop, May 21, 2010)

I cannot reveal my identity for fear of severe consequences, like no more chickens. There is, incidentally, a blacklist among integrators so any grower cut off will not be picked up by another integrator. (Poultry grower, USDA DOJ Workshop, May 21, 2010)

And although I came here on my own today, it's not without a lot of worry when I leave that I'll have some retaliation. (Poultry grower, USDA DOJ Workshop, May 21, 2010)

I've been in the business for nine years. At that time I had a 7-year contract. Four years ago I changed integrators and I was given a 3-year contract. Last year I signed a new contract, flock-to-flock. What that means is every 60 days that's the only time I'm actually under contract to grow chickens. At the end of that 60 days, I can be terminated. I've personally borrowed a million and a half dollars. And everything I've got is mortgaged so I can be a poultry grower. I've got eight poultry houses, two dwelling houses, a hundred and eighty acres of land and all the life insurance policies I've got. As a poultry grower with everything I've been mortgaged, I had no choice but to sign that flock-to-flock contract. Like many of them of said, either I sign it or I ain't got no chickens. Without any chickens, I can't pay any bills. I can't pay my mortgage because chicken houses are designed for one thing, grow chickens. (Poultry grower, USDA DOJ Workshop, May 21, 2010)

The extreme debt required to get into the poultry growing business and the fact that there are not alternative uses for the poultry houses, give the poultry company total control. For most growers, you cannot shop around for other poultry companies if you disagree with your company's practices. There is very little competition in local areas. Even in those unusual instances where two companies overlap a certain area, companies are very reluctant to pick up a grower who has disagreed in any way with another company. (Poultry grower witness testimony, hearing of the U.S. Senate Committee on Agriculture, Nutrition and Forestry; April 18, 2007.

In our area we have more than one company, but it seems to be a written rule that if you go grow for one company, you really don't have the opportunity to even cross those lines to go to another company. (Former poultry grower, USDA DOJ Workshop; May 21, 2010)

In my county alone, we've got two...they do not cross lines at this time anyway...as it stands now with the contracts that we're offered

*now it's either a take it or leave it situation. So it really puts us in a bind as growers. (Poultry grower, USDA DOJ Workshop, May 21, 2010)*

*If you're a poultry grower in a region with one integrator [and you're cut off], you have no hope of ever filling that barn again...bank note comes due, and you're done. It's foreclosed and you're done. (Rural Advocate, GIPSA Town Hall Meeting, October 16, 2008)*

Ms. Kaptur: The proposed rule will help farmers and ranchers in five major areas. It prevents packers from engaging in unfair trade practices to harm livestock producers in order to systematically eliminate them, ensures that GIPSA has the records needed to determine if packers are engaging in unlawful practices, prohibits packers from providing unreasonable or undue preferences or advantages to allow chosen cattle feeders to expand while other producers are forced from the marketplace, improves transparency in the fed cattle market and prohibits packers from obtaining their supply needs from other packers and from reducing competitive bidding for cattle. Are there other areas that USDA intends on helping farmers such as providing sample contracts for contract producers?

Response: During the comment period on the proposed rule, GIPSA received a large number of comments that address the limitations and benefits of contracts to livestock producers, poultry growers, processors, and the American consumer. These comments are being taken into serious consideration in preparing the rule. USDA is also reviewing comments and the transcripts of the USDA and Department of Justice competition workshops to help inform the Department in its enforcement of the Packers and Stockyards Act.

Ms. Kaptur: As a supporter of small agriculture, I have long believed that the Department of Agriculture and Department of Justice have been lax in enforcing protections for contract abuses. What is the time line for the Department to complete its evaluation of the 60,000 comments filed on the proposed undue preferences rule whose comment period closed on November 22, 2010? When do you expect the cost-benefit analysis to be completed by the Office of the Chief Economist? Do you still feel comfortable with the rule as originally proposed?

Response: Until USDA can thoroughly review the comments and their complexity, it is difficult to project when the rule could be published. It is important to the Department to develop the rule correctly and will reserve judgment until all comments have been properly reviewed and addressed. The Department will take the following steps in developing the rule:

- o Conduct a content analysis of comments and identify those requiring additional legal and policy analysis.
- o Evaluate the proposed cost-benefit analysis in light of comments and revise as necessary.
- o Draft a regulatory workplan and submit to the Office of Management and Budget (OMB) for approval.
- o Begin drafting the rule.
- o Enter the rule into Departmental clearance.
- o Submit the rule for OMB clearance.
- o Publish the rule.



## PROGRAM REDUCTIONS

Ms. Kaptur: In the proposal passed by the House of Representatives, the House GOP has proposed cutting \$75 million from the Animal and Plant Health Inspection Service. This spending cut would be the equivalent of eliminating the entire wildlife service's budget. If this budget passes, which pest will USDA decide can run free? Will it be grasshoppers or chronic wasting disease?

Response: The House proposal, referred to as H.R. 1, included a reduction of \$75 million for APHIS for FY 2011. About \$27 million of the reduction was for Congressionally directed projects. Another \$15 million of the proposed reduction is for the avian influenza program. The remaining \$33 million in additional cuts in H.R. 1 would need to be determined.

If Congress enacted the \$75 million reduction, APHIS would identify where reductions could be taken using an approach similar to the one used in preparing the 2012 President's Budget request. This approach includes applying reductions related to successes in our programs, programs where eradication is no longer feasible, and programs where partners should contribute more towards efforts that directly benefit them. Given the timing of the reduction, our choices may be limited.

Ms. Kaptur: Please elaborate on the overall impact of the cuts proposed in HR 1 since the committee was not specific about where these cuts should emanate?

Response: APHIS will have to make difficult choices. While the \$75 million reduction proposed for APHIS in H.R. 1 is comparable to the overall funding level proposed in our FY 2012 request, our FY 2012 request assumes certain accomplishments in FY 2011 that now may not occur. In addition, the FY 2011 reduction would come to us no sooner than halfway through the fiscal year, making it difficult for us to plan these cuts in a thoughtful way. However, we will do our best to move forward with whatever the Congress enacts for the rest of FY 2011.

## INVASIVE SPECIES

Ms. Kaptur: As an unintended consequence of our trade policies, communities across this country pay billions as they deal with invasive species that destroy croplands, forests and other drivers of the natural resource economy. On the Great Lakes, we are now dealing with the Asian Carp that threatens our multi-billion dollar great lakes fishery. The Emerald Ash Borer has devastated my region killing billions of trees and causing billions of dollars in costs that will be borne by these communities over a generation. All this at a time that multinational corporations use the trade agreements to outsource jobs overseas. Has APHIS conducted an economic impact of the increased costs of invasive species to our economy post NAFTA CAFTA and the like?

Response: APHIS has not conducted a study on the overall impact of the increased costs of invasive species to our economy following the adoption of trade agreements like the North American Free Trade Agreement. APHIS economic analyses are limited to impacts regarding potential risks and costs associated with specific products from specific countries when considering whether to allow importation of those products.

Ms. Kaptur: According to a 2000 report invasive species cost the American economy \$123 billion annually. While the Department of Agriculture rightly spends millions to contain these bugs, we are charging American taxpayers to both contain the bugs at the border (with APHIS funding) and by passing these costs on to consumers. What steps has APHIS taken to charge importers for the costs of bringing invasive species into the country?

Response: APHIS does not have the authority to hold specific entities, whether individuals, importers, or foreign governments, responsible for pest introductions. APHIS conducts pathway analyses for all newly detected plant pests to determine how they are entering the country and, if possible, their sources. We use the information gathered in pathway analyses to set import policies to prevent the potentially infested commodities from entering the country. In some cases, the commodities or pathways that introduced a pest can be determined. Unfortunately, there are situations where we are unable to identify the exact origin of a pest. If a pest is detected in a suburban neighborhood, an agricultural setting, or wilderness area, there is often no evidence to connect it to a specific source or country. It would be nearly impossible to prove an entity's responsibility for a specific introduction. Importers and travelers do pay user fees to support the Agricultural Quarantine Inspection program. That program's mission is to prevent the entry of invasive species. These fees totaled over \$512 million in FY 2010.

#### TRADE AGREEMENTS

Mrs. Kaptur: While officials at USDA have the scientific background on what it takes to contain pests, trade agreements are written by those who do not see the unforeseen impacts of these agreements on domestic agriculture. Does APHIS provide economic impacts to the Trade Representative on the potential impacts of certain trade agreements related to agriculture?

Response: The Office of the United States Trade Representative has the principal responsibility for administering U.S. trade agreements. Several global trade agreements do have provisions that deal with invasive species issues. These include the North American Free Trade Agreement (NAFTA) and the World Trade Organization (WTO) Sanitary and Phytosanitary (SPS) Agreement. APHIS is delegated responsibility as the primary negotiator for SPS-related trade issues and standard setting involved in animal and plant health issues. The WTO and NAFTA countries agree to base their SPS regulations on international standards. APHIS has the responsibility of establishing SPS requirements that set the conditions for safe international agricultural trade. Trade agreements do not provide for unrestricted imports of agricultural goods into the United States. Because trade agreements typically address broad principles, APHIS does not analyze an overall impact of agricultural trade that may result from an agreement. When a country makes an import request, APHIS does analyze the economic impacts of the requested import as part of the rulemaking process.

As a science-based agency, APHIS evaluates the associated risk with importing agricultural products under SPS standards and takes appropriate mitigation measures. APHIS uses scientifically based processes in reviewing requests to import products to the United States and ensure the safe export and import of agricultural commodities. The process begins with a market access request from a foreign country. As part of the risk assessment process, APHIS evaluates the economic benefits and costs of importing a specifically

requested commodity. The analysis considers the impacts on both U.S. producers and consumers. As part of the rulemaking process, APHIS accepts public comment on proposed rules to ensure that our analysis accurately reflects the anticipated costs and benefits.

#### INTERNATIONAL AGRICULTURAL TRADE

Mrs. Kaptur: Does USDA conduct potential economic impacts of pests that are related to the explosion of international agricultural trade?

Response: APHIS economic analyses are limited to impacts regarding potential risks and costs associated with specific products from specific countries when considering whether to allow importation of those products.

#### GRASSHOPPER SUPPRESSION

Ms. Kaptur: While my district has been subject to the devastating effects of the Emerald Ash Borer, once the forests in my district were infected, APHIS simply moved on. Compare that to efforts of APHIS in other states like Wyoming and Montana related to control of species like the grasshopper. As you identify in your testimony, the Department of Agriculture has developed a grasshopper control strategy and according to material that APHIS made available online, USDA will pay the costs of suppression for "100% on federal land, 50% on State Land and 33% on private land." What a deal! While my district has been devastated by Emerald Ash Borer and trees are left to rot in the ground, Wyoming and Montana get huge subsidies. Since 1934, Congress has charged USDA with suppression of grasshoppers on federal land and apparently, according to this document, the suppression of grasshoppers on private land as well. How much money did USDA spend on this suppression strategy?

Response: In regards to APHIS and its role in grasshopper suppression, Section 417 of the Plant Protection Act of 2000 (7 United States Code §7701 et seq.) is the statutory authority for APHIS suppression of grasshopper outbreaks. The Act states "Subject to the availability of funds pursuant to this section, on request of the administering agency or the agriculture department of an affected State, the Secretary, to protect rangeland, shall immediately treat Federal, State, or private lands that are infested with grasshoppers or Mormon crickets at levels of economic infestation, unless the Secretary determines that delaying treatment will not cause greater economic damage to adjacent owners of rangeland." It also specifies that USDA pays 100 percent of the cost of grasshopper or Mormon cricket control on Federal lands, 50 percent of the cost on State lands, and 33.3 percent of the cost on private lands. In FY 2010, Congress appropriated \$5,578,000 for this program, and APHIS used an additional \$4.2 million in emergency funding from the Commodity Credit Corporation for suppressing grasshopper outbreaks on Western rangelands.

Ms. Kaptur: While grasshoppers, a species that is native to North America are part of the USDA management and control strategy, Emerald Ash Borer, a disease which has cost the Midwest billions is unfortunately outside the control of USDA. I wish the federal government would give my state half the assistance in controlling EAB as it does for western states. In the rush to cut costs should the Congress eliminate funding for Wyoming grasshopper control?

Response: I understand your concern about the financial strain on communities affected by EAB, particularly in certain areas of the Midwest like Ohio. Unfortunately, EAB spreads very quickly through natural means, and effective tools to control it do not exist. APHIS continues to work toward development of new methods to suppress and control EAB to mitigate the significant impacts this pest has had on ash resources.

Ms. Kaptur: For the record, please provide the total dollar figure expended on the grasshopper control program since it began?

Response: USDA began conducting the Grasshopper program in 1877. APHIS was established in 1972. The table below shows Grasshopper and Mormon cricket program obligations from 1973 to 2010.

GRASSHOPPER-MORMON CRICKET OBLIGATIONS			
Fiscal Year	Grasshopper/Mormon Cricket Appropriation	CCC Funds	Contingency Fund
1973*	0	0	\$507,000
1974*	0	0	420,000
1975	\$988,140	0	0
1976	2,695,921	0	0
1977	1,284,958	0	718,000
1978	1,470,585	0	255,000
1979	2,264,862	0	3,000,000
1980	3,540,391	0	2,500,000
1981	3,393,123	0	0
1982	1,926,739	0	0
1983	1,613,104	0	0
1984	1,539,054	\$840,000	0
1985	20,164,078	2,484,235	0
1986	13,755,665	0	0
1987	8,381,079	0	0
1988	7,016,338	0	0
1989	6,531,145	0	0
1990	8,304,608	0	0
1991	8,075,146	0	0
1992	7,965,878	0	0
1993	3,178,714	0	0
1994	0	0	0
1995	0	0	0
1996	0	0	0
1997	0	0	0
1998	0	0	0
1999	235,866	0	430,000
2000	0	0	571,481
2001	0	0	246,813
2002	0	0	0
2003	3,852,371	0	0
2004	5,263,999	18,034,739	0
2005	5,471,487	0	0
2006	5,499,244	0	0
2007	5,531,000	0	0
2008	5,599,148	0	0

GRASSHOPPER-MORMON CRICKET OBLIGATIONS			
Fiscal Year	Grasshopper/Mormon Cricket Appropriation	CCC Funds	Contingency Fund
2009	5,476,000	0	0
2010	5,719,091	4,206,862	0
<b>Total</b>	<b>\$146,737,734</b>	<b>\$25,565,836</b>	<b>\$8,648,294</b>

\*Obligations from appropriated funds are not available for these years.

#### HEALTHY FOOD FINANCING INITIATIVE

Ms. Kaptur: Mr. Undersecretary, while the Agricultural Marketing Service receives a small share of funding at the Department, it serves in one of the most critical areas in our society. Much of the innovation coming out of USDA comes out of marketing. To this end, the 2012 budget request contains a number of important proposals that could serve communities in important ways. Please describe for the committee some of the authorities sought under the Healthy Fresh Food Financing Initiative under AMS and how HFFI authorities will mesh with existing AMS programs.

Response: In a Department effort to provide increased access to healthy food for low income Americans, HFFI promotes a range of interventions that expand the supply and demand for affordable, nutritious foods, including increasing the distribution of agricultural products, developing and equipping grocery stores, and strengthening producer-to-consumer relationships in underserved urban and rural communities.

AMS' Transportation and Market Development Program supports this effort by providing technical support and guidance for projects in lower income underserved communities which will stimulate the development of regional food hubs and marketing outlets for locally and regionally grown food where gaps in food availability and food access are present.

#### KNOW YOUR FARMER, KNOW YOUR FOOD INITIATIVE

Ms. Kaptur: AMS serves a critical role in our community you have done a great service in directing senior officials to begin the effort of closely analyzing the department of agriculture to use its authorities to support community based agriculture. Gone are the days where the only role of USDA is to support industrial agriculture. Our country is demanding more urban, community and local agriculture to serve our food and pass these benefits to small producers both urban and rural. Your budget is littered with numerous programs that support the Know Your Farmer Know Your Food Program but it is divided into multiple divisions of the agency. Please outline for the committee the mechanisms in the Know Your Farmer Know Your Food Program programs in this budget request.

Response: There are several AMS programs that support the Know Your Farmer, Know Your Food Program.

[The information follows:]

## KNOW YOUR FARMER, KNOW YOUR FOOD INITIATIVE

Fiscal Year 2012 Budget Activity	Funding (\$000)	Supporting Information
Wholesale, Market Promotion Alternative Markets	\$4,563	Full budget request level (includes an increase of \$1.7 million)
Transportation	260	Increase request only
Federal-State Marketing Improvement Program	2,634	Full budget level (includes an increase of \$1.3 million)
Commodity Procurement	882	Increase request only
Farmers Market Promotion Program	10,000	Entire Grant Program
Specialty Crop Block Grants	55,000	Entire Program

Note: FNS has requested \$2.0 million in the FY 2012 Budget President's Budget request for Farm to School efforts.

Throughout the Department, we have improved outreach and service delivery to stakeholders involved in local and regional food systems by highlighting the relevant USDA programs that can offer support; addressing barriers to participation; engaging USDA employees in concepts and efforts related to local and regional food systems; and fostering innovative areas of outreach. Some examples include:

- The Know Your Farmer, Know Your Food Website
- Know your Farmer, Know Your Food Blog
- College speaking tours designed to connect the consumer with their food

USDA programs have supported projects that reduce the barriers to local and regional food production and promote opportunities to increase local production and purchasing.

Ms. Kaptur: Could you also please provide the committee with a summary of the regulatory changes you are seeking under the Know Your Farmer Know Your Food Program?

Response: As USDA supports projects that reduce barriers and promote opportunities to increase local and regional food production and purchasing, the agencies that are associated with the Know Your Farmer, Know Your Food initiative will attempt to reduce any regulatory burdens that interfere with the Initiative's intent.

Ms. Kaptur: How will know your farmer know your food be integrated into the child nutrition program?

Response: The USDA's Know Your Farmer, Know Your Food initiative is a way to create new economic opportunities by better connecting consumers with local producers. One of the efforts which directly support this mission is to provide assistance to schools and local farmers interested in developing or expanding their farm to school efforts. Farm to school activities not only provide fresh, locally-produced food to school meals programs, but also provide small farmers with new marketing opportunities and school children with the opportunity to learn about how food is produced and what it takes to get it to the plate.

USDA recognizes the growing interest among school districts and communities to incorporate regionally and locally produced farm foods into the school nutrition programs. In response to this interest and in support of the Know Your Farmer, Know Your Food initiative the "USDA Farm to School Team" was established. The Team recently visited 15 school districts across the country to analyze and assess variables that support or deter farm to school activities, from both the school and farmer perspectives. The Team is currently consolidating the observations, challenges, possible solutions, and best practices learned during their site visits, and will provide a full summary on the USDA Farm to School Website (<http://www.fns.usda.gov/cnd/F2S/>).

#### TRANSPORTATION AND MARKET DEVELOPMENT PROGRAM

Ms. Kaptur: As part of the budget request, the administration has asked for an increase of \$1.92 million for the Transportation and Marketing Program to enhance community capacity to improve local food access, with \$5.824 million for the overall program. In budget documents, you suggest that AMS will develop two new programs that will focus on outlets for local and regional product "technical assistance to regional food hubs to support agriculture of the middle and Technical Assistance to beginning and transitioning farmers markets". These ideas sound particularly interesting in the context the Know Your Farmer Know Your Food Program. How will this project be coordinated with the Farmers Market Promotion Program?

Response: AMS plans to develop these two new projects to focus on outlets for local and regional product and provide tailored guidance to community planners and market managers. They will promote the development and expansion of regional distribution food hubs that permit small and mid-size farmers to access and participate in commercial and institutional foodservice and retail markets. AMS will utilize the vast amount of data captured and lessons learned from the Farmers Market Promotion Program (FMPP) projects to inform the direction of future research and market development for these new programs. These activities and the FMPP support USDA's Know Your Farmer, Know Your Food Initiative.

FMPP is authorized by the Farmer-to-Consumer Direct Marketing Act of 1976 and funded by the 2008 Farm Bill. FMPP grants help communities support local food systems through direct marketing such as farmers markets, roadside stands, community-supported agriculture, and agri-tourism. These are competitive grants of up to \$100,000 awarded to non-profit organizations, local governments, tribes, businesses and others such as economic development

corporations, agricultural cooperatives, or regional farmers' market authorities. Priority is given to projects that increase access to healthy, affordable foods to low-income consumers, develop training and educational programs for new direct farm marketers, or provide professional training for market management. One example is a 2010 grant to the Coalition of Florida Farmworker Organizations, Inc., in Florida City, Florida, to establish a centralized, open-air farmers market that will serve citizens of southern Miami-Dade County, train farmers/vendors, and promote greater consumption of locally grown products among low-income residents. Another example is a grant to Orange County HomeGrown, in Paoli, Indiana, to expand the market's customer base through promotion and use of EBT, provide training and services to market vendors, remote public awareness of nutritional value of locally grown produce in an 8-county region of Indiana, build partnerships to ensure sustainability of two existing farmers markets, and create a third market within an underserved community.

The 2008 Farm Bill only provides funding through 2012 but may be reauthorized with funding in the 2012 Farm Bill. The FY 2012 budget request increase will allow AMS to continue to capitalize on the lessons learned and the best practices utilized through the FMPP grants program. AMS will continue to support and revitalize rural America and give small farmers access to technical assistance to create new direct markets. In addition, AMS will continue to support the regional food hubs - actively coordinated, centralized aggregation and redistribution facilities for local and regionally-grown food that permit small and medium-sized farmers to access new commercial and institutional markets, while enhancing consumer access to fresh food in underserved metropolitan and rural communities.

As part of the budget request, the administration has asked for an increase of \$1.92 million for the Transportation and Marketing Program to enhance community capacity to improve local food access with \$5.824 million for the overall program. In budget documents, you suggest that AMS will develop two new programs that will focus on outlets for local and regional product "technical assistance to regional food hubs to support agriculture of the middle and Technical Assistance to beginning and transitioning farmers markets". These ideas sound particularly interesting in the context the Know Your Farmer Know Your Food Program. How will this project be coordinated with the Farmers Market Promotion Program?

Ms. Kaptur: Does AMS have the authority to implement this program without new legislative authority?

Response: Yes, these new activities will be undertaken by AMS' Transportation and Marketing Program which conducts related work under the legislative authority of the Agricultural Marketing Act of 1946. The proposed activities--technical assistance to regional food hubs and transitioning farmers' markets--will focus resources on these areas by building on existing program expertise. They support the Department-wide Know Your Farmer, Know Your Food Initiative which was developed to facilitate the development of local and regional food systems that better connect consumers with local farms, create new income opportunities for producers and place great focus on sustainable agricultural practices and nutritious, local food.



## COUNTRY-OF-ORIGIN LABELING

Ms. Kaptur: For years, this committee blocked the will of Congress and the American people and prevented the Country of Origin Labeling Program from informing consumers. Opponents of COOL claimed that the increased costs would destroy American agriculture. Yet, it has meant that consumers have information about their product they eat and domestic producers have the appropriate information when selling their product to consumers. In your FY 12 budget, the administration has requested a decrease of 1.109 million in implementing the program. This suggests that not only has the program been a success it is cheaper to implement. Could you please outline for the committee why the cost has decreased?

Response: The proposal to reduce funding for the Country of Origin Labeling (COOL) program in FY 2012 is made possible by the completion of a data management system that is under development in 2011. The COOL Act requires retailers to notify their customers of the country of origin of covered commodities, which include muscle cuts of beef (including veal), lamb, and pork; ground beef, ground lamb, and ground pork; farm-raised fish and shellfish; wild fish and shellfish; perishable agricultural commodities; peanuts, goat, chicken, ginseng, macadamia and pecan nuts. The program has worked to develop a database system that will facilitate the processing of data collected during in-store reviews. The system will simplify processing of information acquired during reviews in order to capture, manipulate, and process data in a timely fashion. The system will improve data management for AMS' COOL program which conducts program operations, including label reviews at retail locations through cooperative agreements with State agencies, responds to formal complaints, conducts supply chain audits, and educates reviewers and stakeholders.

Ms. Kaptur: While the committee begins considering the new GIPSA rule, we must take a page from history on the Country of Origin Labeling Program. Allowing USDA to do its job as Congress has directed has meant that millions of Americans have more information about what they are eating. Could you elaborate on the details of the number of consumers that have more information about where their meat has come from as a result of COOL?

Response: There are no reliable estimates on the number of meat purchases in the U.S; however estimates provided by the U.S. Department of Labor indicate that there were over 112 million households in the United States in 2009. As a result of the COOL statute, over 37,000 U.S. retail facilities now label meat and other covered commodities for country of origin. In 2009, total sales for these retail facilities exceeded \$556 billion. Based upon this information, it is safe to say that country of origin information is available to the vast majority of consumers making purchasing decisions on behalf of themselves and their families.

Ms. Kaptur: In your experience in implementing COOL, how has the program been received by consumers and producers? Were the objections warranted?

Response: The implementation of COOL for retailers and their suppliers has gone well since the final rule requirements became effective in March 2009. Consumers now have accurate country of origin claims for all covered commodities, in addition to, method of production information for fish and shellfish to make informed purchasing decisions.

Some retailers had objections to the COOL program in the early stages, but with education and outreach, opposition appears to have subsided. We believe the current program provides accurate, credible information to consumers and minimizes cost and disruption to the supply chain from producer to the retailer.

#### ORGANIC AGRICULTURE AND EQUIVALENCY

Ms. Kaptur: While USDA trade exports have gone up, product from overseas, especially high value product such as organic product has been flooding into our domestic markets. According to USDA documents, AMS has reached an equivalency agreement with Korea. When was this agreement reached with Korea?

Response: AMS has not reached an equivalency agreement with Korea. Initially, the Korean Ministry of Food, Agriculture, Forestry and Fisheries (MIFAFF) had planned to implement new regulations in December 2010 that would have required all U.S. organic exports to be certified by a Korean certifying agent. This would have interrupted U.S. organic trade with Korea. However, in August 2010 the Korean MIFAFF made a decision to extend its current organic labeling regulations for organic imports until December 31, 2012, thus allowing continued access by U.S. organic companies to export organic food products to Korea.

This decision by Korea is the result of efforts by public and private organizations including USDA's Foreign Agricultural Service along with Korean organic officials and the Korean organic industry. The extension through 2012 allows for negotiation of Korean MIFAFF acknowledgement of the National Organic Program as equivalent to the Korean Organic Regulation while continuing to allow their market to remain open for U.S. organic exports.

Ms. Kaptur: What is the size of the Korean Organic market for export and import?

Response: According to the Korean Food and Drug Administration (KFDA), Korea's total organic imports in 2010 were \$13 million, up from \$10.5 million in 2009. Until January 2011, the United States did not have Harmonized System tariff codes to track organic agricultural trade. Beginning in January, the U.S. International Trade Commission created 23 export and 20 import codes. From January-February 2011, there were no U.S. organic exports to Korea for the 23 products covered by the codes.

KFDA does not supply estimates for Korean organic exports, so USDA is not aware of the size of Korea's organic export trade.

Ms. Kaptur: What is the quantity of Korean organic food imported into the United States already?

Response: Response: Prior to January 2011 there were no tariff codes to capture imports of organic products and no estimate is available from Korea. From January-February 2011, U.S. organic imports from Korea totaled \$251,000, all under the fresh pear code.

## AVIAN INFLUENZA

Ms. Kaptur: When the Secretary recently testified before this subcommittee, there was some discussion of this as well but since you are the issue area experts, I thought it worthwhile to rephrase the question here. On January 24, 2011, the Animal and Plant Inspection Service published an interim rule in the Federal Register that changed APHIS policy on the importation of poultry products from countries that have experienced outbreaks of avian influenza. It was because of APHIS' concerns with the avian influenza outbreaks in the People's Republic of China that limited the scope of the April 24, 2006 FSIS rule to permit the importation of processed poultry products only if the source of the raw poultry came from either the U.S. or Canada. The APHIS interim rule now permits certain countries that have experienced outbreaks of avian influenza in their poultry flocks - and China is explicitly included on that list - to export poultry products to the U.S. under certain conditions. Can you tell us why USDA has changed its position from the one taken in 2006?

Response: The interim rule strengthens USDA's ability to protect against the introduction of a highly pathogenic avian influenza (HPAI) virus and does not expand imports of poultry. APHIS regulations previously allowed exceptions such as science and research products as well as processed (cooked, cured, etc.) carcasses, parts of products of carcasses, and eggs (other than hatching eggs) to enter under an import permit ensuring mitigations were met to prevent incursions of HPAI subtype H5N1. APHIS regulations also allowed processed "products and byproducts of poultry, game birds, or other birds" to be imported under similar import permits. Under both the previous and current regulations, processing the products prevents the incursion of HPAI subtype H5N1 into the United States.

The interim rule is not a reversal of previous policy, as these commodities have been allowed. The rule sets sufficient cooking requirements to ensure that the viruses that cause these diseases are inactivated in cooked poultry meat and other products. The difference is that under the interim rule, the exporting country can now certify to those mitigations as part of the export certification statements that were previously required by the import permit, thereby removing the need for an import permit.

All imports of meat and poultry products intended for human consumption are regulated jointly by APHIS and the Food Safety and Inspection Service (FSIS). All edible meat and poultry products must come from countries whose inspection system is deemed by FSIS to be equivalent to the United States. That way, we rely on the government to certify products, the same way we expect imported countries to trust the U.S. system for our exports. In this case, it's the poultry slaughter and processing system that must be equivalent.

China and Israel are good examples of how this system works. APHIS lists both China and Israel as having H5N1 HPAI, and both have been evaluated by FSIS. APHIS has allowed (with an import permit) the importation of cooked turkey meat from Israel because Israel's system has been deemed equivalent by FSIS to export processed poultry to the United States. APHIS requires that the poultry be cooked. China is currently suspended by FSIS, so this rule will not alter China's ability to export, and their cooked poultry products cannot enter the United States.

Under previous regulations, the mitigations applied only to the H5N1 subtype of HPAI. With the interim rule, they will apply to all subtypes of HPAI.

The rule is based on research by experts in poultry diseases from USDA's Southeast Poultry Research Laboratory – specifically, a paper titled *Thermal Inactivation of H5N1 High Pathogenicity Avian Influenza Virus in Chicken Meat*. This study evaluated a worst-case scenario (poultry meat with high indication of HPAI H5N1) and concluded that cooking to current USDA performance standards for *Salmonella* (165°F/74°C) will also inactivate the HPAI H5N1 virus. APHIS also considered standards set by the World Organization for Animal Health.

It is important to note that this is not a reversal of policy. Countries that were affected by H5N1 HPAI are still on the list. If a country becomes affected by a type of HPAI other than H5N1, we will now be able to restrict imports.

Ms. Kaptur: It was also interesting that the publication of the interim rule occurred right after the visit by Chinese President Hu Jintao to Washington? Was that a coincidence or was some sort of understanding reached while he was here that such a rule would be published?

Response: The timing of the publication of the interim rule and the visit by the Chinese President Hu Jintao was coincidental. As is the case with all of our sanitary and phytosanitary rules, the action is science-based.

Ms. Kaptur: In recent weeks, APHIS has issued decisions to deregulate a number of genetically-engineered crops. There is a great deal of concern about contamination of non-GE crops as a result of those decisions, and about the irreparable harm that occurs across the landscape when genetic contamination occurs. Once the genie is out of the bottle, it becomes impossible to put him back in. You have acknowledged that the concerns of organic and non-GE conventional farmers about potential contamination are valid. And you have announced some steps to develop the science to find ways to prevent such contamination. I have 2 questions in that regard:

Wouldn't it make more sense to develop the science to prevent contamination before the organisms of concern are released into the environment, instead of doing so after the fact?

Response: Recognizing that the conventional, organic, and genetically-engineered agricultural sectors all operate continuously, APHIS makes the determination to grant non-regulated status to genetically-engineered (GE) crops based on whether they pose a plant pest risk. However, to promote the ability of all farmers to grow the type of crop of their choosing, Secretary Vilsack recently announced a range of initiatives that include:

- Reestablishing two important USDA advisory committees - Advisory Committee on Biotechnology and 21st Century Agriculture (AC21), and the National Genetic Resources Advisory Committee. These two committees will tackle a broad range of issues, from ensuring the availability of high quality seed, to helping ensure that growers have access to the best tools available to support their production choices, to whether risk management and indemnification options can play a role;

- Conducting research into areas such as ensuring the genetic integrity, production and preservation of alfalfa seeds entrusted to the germplasm system;
- Refining and extending current models of gene flow in alfalfa;
- Requesting proposals through the Small Business Innovation Research program to improve handling of forage seeds and detection of transgenes in alfalfa seeds and hay; and,
- Providing voluntary, third-party audits and verification of industry-led stewardship initiatives.

On March 18, 2011, USDA published a *Federal Register* Notice requesting nominations for members of the AC21 Advisory Committee. USDA is also taking steps to safeguard the long-term quality of alfalfa seed stored in USDA germplasm banks and will assess the feasibility of producing high quality alfalfa seed in a pilot study this summer. USDA's Agricultural Research Service scientists are also forming research teams to test alfalfa gene flow models that consider biological and environmental factors beyond separation by geographical distance.

Additionally, the Small Business Innovation Research program under USDA's National Institute for Food and Agriculture (NIFA) will issue a call for proposals in June 2011 for (a) improved detection of transgenes in alfalfa seeds and hay; and (b) improving handling of forage seeds, from seed production to marketing. NIFA also added a priority research area to the Biotechnology Risk Assessment Grants Program Request for Applications to focus on research regarding pollen flow in GE alfalfa and its coexistence with non-GE crops. The priority will also focus on the development of risk assessment strategies for the coexistence of GE alfalfa with other non-GE crops.

Ms. Kaptur: Could you explain what steps you are taking to prevent GE contamination, and what your timeline is for implementing those actions?

Response: As a regulatory agency, APHIS takes steps to prevent the unauthorized release of regulated genetically engineered (GE) material. APHIS imposes confinement measures for field trials of regulated GE organisms to safeguard against the unintended release of GE materials into the environment and also limit gene flow. Additional safeguards can include surveying for local wild relatives; removing plant reproductive structures (detasseling); cleaning equipment; and bagging flowers to contain pollen. APHIS also conducts thorough inspections of field trials to ensure that biotechnology organizations are adhering to APHIS regulations and permit conditions. Once APHIS has granted nonregulated status, the GE organisms do not fall under our Agency's regulatory purview and can be moved and planted freely in the United States.

The potential domestic market impact and disruption of trade due to GE crop gene flow to conventional and organic crops has prompted the USDA to place a high priority on appropriate coexistence policies and practices. Specifically within APHIS' scope of activities, APHIS has requested funding in the FY 2012 budget to begin a multi-year gene flow status and trends monitoring program. This program will develop information about the extent, scale, and measurement of gene flow in major agricultural regions in the United States.

Ms. Kaptur: APHIS recently granted the Brazilian state of Santa Catarina animal disease-free status that would open the way for fresh meat products to be exported to the United States. The U.S. has limited meat imports from Brazil to fully cooked products due to the presence of foot and mouth disease in that country's livestock herds. Would you give us a history of how this rule was promulgated? Since the announcement of the proposed rule came on April 6, 2010 as part of the package of actions taken by the U.S. to settle the successful WTO complaint Brazil brought against the U.S. regarding our cotton subsidies, was there any pressure brought to bear on APHIS to propose and subsequently approve the Santa Catarina rule?

Response: Brazil requested that the United States allow imports of swine, ruminants, and their products, including beef from the State of Santa Catarina. APHIS completed the risk analysis for the request in January 2009. The risk analysis showed that the State of Santa Catarina is free of foot-and-mouth disease (FMD), as well as major swine diseases of concern. In accordance with international trade standards, APHIS also found that Santa Catarina's veterinary infrastructure is capable of preventing, detecting, controlling, and managing outbreaks should a disease occur in the region. Additionally, no outbreaks of FMD have occurred in Santa Catarina since 1993, and the World Organization for Animal Health recognized Santa Catarina as free of FMD without vaccination in 2007.

APHIS conducted its review of the Brazil request using internationally accepted scientific methods. The determination leading to the rule was based solely on these scientific methods. Brazil originally requested that USDA allow access for fresh beef from 15 Brazilian states, including Santa Catarina, in 2002. USDA published a final rule in November 2010 to allow the import of live swine, ruminants, and their products, including beef, from the State of Santa Catarina only, after having fully evaluated the risk of these imports from that region. There was no pressure to approve the rule. The Santa Catarina final rule does not allow imports of fresh beef from the remaining 14 states requested by Brazil; APHIS is reviewing this request separately.

USDA has a series of steps that serve as checks and balances, are based on science, and provide assurance to the livestock industry and the American public. These steps include conducting a risk assessment and ensuring that the country has veterinary infrastructure in place that is capable of preventing, detecting, controlling, and managing outbreaks should a disease occur in the region. Where the analysis demonstrates that there is no risk, imports from that region are allowed with mitigation measures such as animal quarantine. Regionalization recognizes that animal health conditions can vary across regions of a country and ensures that import restrictions match the actual risk for the regions recognized as free of disease. Regionalization by trading partners has helped U.S. producers during past outbreaks of avian influenza and exotic Newcastle disease. Regionalization ensures that producers in areas not affected by these disease outbreaks are able to continue their trade with minimal restrictions.

#### NATIONAL ORGANIC PROGRAM

There have been at least two cases recently in which products were imported into the U.S. from the People's Republic of China that were fraudulently certified as being organic. In 2008, WJLA here in Washington, DC exposed that imported organic ginger from China was contaminated with the

pesticide aldicarb forcing Whole Foods to remove that product from its shelves. Just last month, AMS uncovered a plot by a Chinese organic marketing operation that fraudulently certified soybeans, millet and buckwheat as being organic when they were not. What steps is AMS taking to tighten its oversight of organic certifiers - both domestically and globally - to protect the integrity of the National Organic Program?

Response: In order to protect the integrity of the organic label, AMS monitors foreign standards recognition agreements with foreign countries and reviews certification activities of both foreign and domestic certifying agents. During fiscal year 2010, the National Organic Program (NOP) conducted compliance assessments in Canada, Egypt, Israel, Denmark, Ghana, and China to evaluate the ability of these countries to oversee organic operations that are compliant with current NOP regulations. AMS auditors also conducted routine audits of accredited certification agents in Argentina, Italy, Germany, Bolivia, and Mexico to ensure continued compliance with NOP regulations.

AMS published the NOP Program Handbook on September 1, 2010. The first edition of the Handbook includes guidance on compost, certification, recordkeeping, and many other topics. The second edition, published on January 31, 2011, includes guidance on evaluating materials used in organic systems, flavors, and many other topics. This handbook provides guidance for accredited certifying agents, state organic programs, organic producers and handlers so that organic standards are consistently implemented.

To further verify organic labeling in 2011, USDA is considering a new residue testing program for all NOP certified products, including foreign produced organic products, to help identify potential non-compliances before products reach U.S. store shelves.

In order to strengthen oversight of organic certifiers and to protect the integrity of the NOP label, AMS is requesting an increase of \$2.9 million in FY 2012 to increase surveillance of foreign accredited certifying agents; investigate the volume of complaints and violations (both domestic and foreign); educate certifying agents worldwide to ensure the organic regulations are consistently applied; and respond to requests for international equivalency agreements.

By providing clear guidance to the organic industry, developing a residue testing program, and working with our international partners, this will allow AMS to effectively monitor and communicate information, requirements, and expectations of producers of certified organic food sold the in the United States.

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